

Town of La Pointe
Zoning Board of Appeals Meeting Minutes
Thursday, May 13, 2010
5:00 PM

Board of Appeals Members Present: Mike Starck; Chair, William Tibble, Paul Brummer, Thomas Nelson, Warren Anderson (5).

Board of Appeals Members Absent: none.

Public Present: none.

Town Staff Members Present: Margaretta Kusch; ZBOA Secretary (1).

I. Call to Order/Roll Call

Chair Starck calls the meeting to order at 5:05 pm at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Approval of Previous Meeting Minutes:

1. Zoning Board of Appeals Meeting, April 15, 2010

- On page 2, item IV, number 1, change quoted motion vote from “5 aye” to “3 aye, 1 nay (T. Nelson), 1 abstain (W. Anderson).”
- On page 2, item V, number 1, change “documents” to “document” in title and change “these documents” to “this document (Nelson variance).”
- On page 2, item V, number 1, change “The Board” to “The Chair.”
- On page 4, item V, third statement on page, delete the phrase “and didn’t understand that a 20% variance was allowed.” Replace with “and didn’t understand that the Board of Appeals has a right to create a non-conforming lot.”
- On page 4, item V, tenth statement on page, change “give variance” to “give a variance.”

W. Tibble moves to approve as amended the Zoning Board of Appeals minutes of April 15, 2010. W. Anderson seconds. All in favor, 5 aye. Motion Carries.

T. Nelson moves that the Board schedule another meeting within the next 30 days to handle any agenda items passed by motion at this meeting. W. Tibble seconds. All in favor, 3 aye, 2 nay (M. Starck, W. Anderson). Motion Carries.

III. Sign Decision Document for appeal of Thomas and Marcy Woods

W. Tibble states that he feels fine with the document, although he notes that it is much shorter and less detailed than the Nelson variance finding of fact. M. Starck states that this is because it is for an appeal, not a variance.

T. Nelson notes that Mr. Fauerbach sent a format for Findings of Fact documents, but that the format wasn’t followed. M. Starck states that what Mr. Fauerbach sent was a suggested format, not a template.

T. Nelson further notes that the specifics of the “new information” regarding the Woods appeal were not described in the document. M. Starck responds that the information will be sent in its entirety to the Town Plan Commission along with the Finding of Fact document.

M. Starck moves to sign the Woods appeal Finding of Fact. W. Tibble seconds. All in favor, 4 aye, 1 nay (T. Nelson). Motion Carries.

IV. Sign Decision Document for variance request of C. A. Nelson Estate

T. Nelson moves to discuss at the next meeting as an agenda item: Determine how Mike Fauerbach’s presence here was deemed to be for educational purposes, and that Mr. Fauerbach produce an itemized bill of what was spent for the Board of Appeals on the C. A. Nelson variance. P. Brummer seconds. All in favor, 5 aye. Motion Carries.

T. Nelson moves to have at the next meeting as an agenda item: setting a firm policy on how to get items on the agenda. W. Tibble seconds. All in favor, 4 aye, 1 abstain (W. Anderson). Motion Carries.

T. Nelson moves to discuss at the next meeting as an agenda item: the Bayfield County Board of Adjustment Rules and Procedures document, especially as it applies to the conflict of interest between M. Starck and the C. A. Nelson estate. P. Brummer seconds. All in favor, 5 aye. Motion Carries.

W. Tibble states that again, he doesn’t have any problem with the document, but he notes that it is very lengthy, and wonders if this will be the standard for future Findings of Fact documents. T. Nelson notes that the Board of Appeals has a couple of different formats now, and M. Starck notes that each future document will be written according to the needs of future Boards and future cases.

M. Starck moves to approve the C. A. Nelson variance Finding of Fact document produced by Mr. Fauerbach. W. Tibble seconds. All in favor, 5 aye. Motion Carries.

Consensus to hold next Board of Appeals meeting on Thursday, June 10, 2010, at 5 pm.

V. Adjourn.

W. Tibble moves to adjourn. W. Anderson seconds. All in favor, 5 aye. Motion Carries. Meeting ends at 6:05 pm.

Draft Zoning Board of Appeals Minutes respectfully submitted by ZBOA Secretary, Margaretta Kusch, on Friday, May 14, 2010.

Zoning Board of Appeals minutes are approved as submitted by ZBOA Secretary Margaretta Kusch on Thursday, June 10, 2010.