

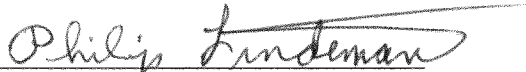
**Adopting Removal of Burnett County Code Section 30.699
From the Code of Ordinances**

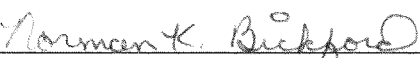
1 To the Honorable members of the Burnett County Board of Supervisors;
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3 **WHEREAS**, the powers of the Board of Adjustment are stated in Section 4.0 in the Rules and
4 By-Laws of the Burnett County Board of Adjustment; and
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6 **WHEREAS**, the powers of the Board of Adjustment are also stated in the Burnett County
7 Code Section 30.699; and
8
9 **WHEREAS**, the language appears to overlap each other; and
10
11 **WHEREAS**, the Rules and By-Laws of the Burnett County Board of Adjustment supersedes
12 the Burnett County Code of Ordinances; and
13
14 **WHEREAS**, in order to clarify which language controls; and
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16 **WHEREAS**, the Land Use and Information Committee has reviewed the ordinance and by-
17 laws and recommends removing Section 30.699. *Powers of the Board* in its entirety from the
18 Burnett County Code of Ordinances.

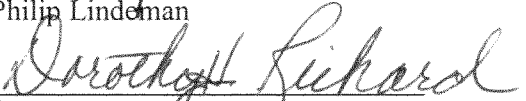
19
20 **NOW, THEREFORE BE IT RESOLVED, THAT** the Burnett County Board of
21 Supervisors does hereby clarify the Burnett County Code of Ordinances by removal of
22 Section 30.699. *Powers of the Board* in its entirety.


23
24 Respectfully submitted and recommended for adoption by the Land Use and Information
25 Committee.
26 Signed and dated this 5th day of August, 2014.


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28 
29 _____
30 Maury Miller, Chair



Philip Lindeman

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33 _____
34 Norman Bickford, Vice-Chair


Dorothy Richard

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37 _____
38 Brent Blomberg, Secretary


Don Taylor

39 
Chuck Anderson

**Burnett County, Wisconsin, Code of Ordinances
Chapter 30 Land Use
ARTICLE XI. BOARD OF ADJUSTMENT**

Sec. 30-698. Create and appoint.

A board of adjustment is hereby created and appointed in accordance with the provisions of Wis. Stats. § 59.694. The board of adjustment shall have the duties and powers provided by Wis. Stats. § 59.694 and rules and bylaws of the county board of adjustment as adopted by the county board.

(Land Use Pamphlet, § 11.0)

~~Sec. 30-699. Powers of the board.~~

~~The board of adjustment shall have all of the following powers:~~

- ~~(1) To hear and decide appeals where it is alleged there is error in an order, requirement, decision or determination made by an administrative official in the enforcement of Wis. Stats. § 59.69 or of any ordinance enacted pursuant thereto.~~
- ~~(2) To hear and decide special exceptions to the terms of this chapter upon which the board is required to pass under this chapter.~~
- ~~(3) To authorize upon appeal in specific cases variance from the terms of this chapter that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of the chapter shall be observed and substantial justice done.~~
- ~~(4) To grant special exceptions and variances for renewable energy resource systems. If the board denies an application for a special exception or variance for such a system, the board shall provide a written statement of its reasons for denying the application. In this subsection, the term "renewable energy resource system" means a solar energy system, a waste conversion energy system, a wind energy system or any other energy system which relies on a renewable energy resource.~~

~~(Land Use Pamphlet, § 11.1)~~

Secs. 30-700—30-726. Reserved.

State of Wisconsin
County of Burnett

I, Wanda Hinrichs, the duly elected and qualified County Clerk in and for Burnett County, do hereby certify that the attached Resolution 2014-20, Adopting Removal of Burnett County Code Section 30.699 From the Code of Ordinances was adopted by the Burnett County Board of Supervisors at a legally assembled meeting at which a quorum was present and acted throughout. The date of passage was August 21, 2014.

Wanda Hinrichs

Wanda Hinrichs,
Burnett County Clerk