

**NOTICE OF PUBLIC HEARING
STATE OF WISCONSIN
SAWYER COUNTY**

PUBLIC NOTICE is hereby given to all persons that a **PUBLIC HEARING** will be held on Friday, April 15, 2016 at 8:30 AM in the Sawyer County Courthouse, 10610 Main, Hayward, Wisconsin before the Sawyer County Zoning Committee relative to the following proposals:

PRELIMINARY MATTERS

- 1) Call to Order and Roll Call
- 2) Statement of Committee and Hearing Procedure
- 3) Statement of Hearing Notice

REZONE APPLICATIONS

1)Town of Lenroot – Douglas P. Wegener. N ½ SENE, Parcel .4.1 & Prt SWNE, Parcel .3.7, all in S02, T42N, R08W, containing 20 & 9.39 Acres, Doc. #330674, Permit is desired for keeping pet horses.

CONDITIONAL USE APPLICATIONS

1)Town of Winter – Donald & Marcella Thompson. The NESW; S01, T39N, R05W; Parcel 032-539-01-3101 & 3201; Bumblebee Pit; Doc#261143. Permit is desired for: The three (3) year renewal of Conditional Use Permit #03-002 for the location/operation of a non-metallic mineral extraction, including rock crusher which was approved at Public Hearing on March 15, 2002 & renewed most recently April 19, 2013.

2)Town of Meteor – Audrey and Royce Zesiger Revocable Living Trust. The NESE; S4, T37N, R 8W; Parcel# 018-837-04-4101.; Doc #395186. Permit is desired for the three (3) year renewal of conditional use permit #11-006 for the location/operation of a non-metallic mineral extraction, including rock crusher and hot mix asphalt plant which was approved at public hearing on April 15, 2011.

3) Town of Winter - J. Michael Borden Trust ETAL. Part of Lot 1 CSM 22/58 #6132, being part of Gov't Lot 2, S 22 T 38N, R 3W; Part of Parcel 5211 and all of Lot 2 CSM 10/93 #2132, Parcel 5207. Site address: 1115W Cty Hwy W. Doc #382678 & Doc #399351.Approx. 0.18 acres (7,869 square feet) resulting in a total of 2.33 acres. Property is zoned Commercial One and Residential/Recreational Two. Permit is desired for the division of Lot 1 resulting in a small parcel of land with an existing storage building on it that would be combined with Lot 2, which is vacant property. This application has been postponed from the February 19th Public Hearing. The Town Board has approved the application.

4) Town of Hayward – Ben A. LaBarre. Part SESE, S19, T41N, R08W; Parcel .16.3; 10 Ac., Doc #399391, Permit is desired for Resort with future expansion.

PROPOSED AMENDMENTS TO THE SAWYER COUNTY ZONING ORDINANCE

SECTION 2.0 DEFINITIONS

Create and renumber

(95) Special Event: An event where a large number of people are brought together to watch or participate in a sporting, cultural, business or any other type of unique activity that occurs on a limited or fixed duration (one-time, annual) that is presented to an audience, and may have an impact on the public.

SECTION 3.24

Change “Board of Adjustment” to “ Board of Appeals”

SECTION 4.21 Setback Requirements on Highways and Roads

1) Reads: All State and US numbered highways are hereby designated Class A highways. The setback line for Class A highways and for any other roads designated as major roads on official maps in effect in the County shall be 130 feet from the centerline of the highway, or 66 feet from the right-of-way line whichever is greater.

Change last sentence to read:

Or 66 feet from the right-of-way line whichever is the greater distance.

SECTION 4.21

2) Reads: All County Trunk highways not otherwise designated as Class A highways are hereby designated Class B highways. The setback for Class B highways and for roads designated as arterial roads on official maps in effect in the County shall be 75 feet from the centerline of such highway or 42 feet from the right-of-way line, whichever is greater.

Change last sentence to read:

Centerline of such highway or 42 feet from the right-of-way line, whichever is the greater distance.

SECTION 4.25 Lot Sizes

Reads: 1) After adoption of this ordinance, or an amendment thereto, no lot area shall be so reduced that the dimensional and yard requirements required by this ordinance cannot be met. Lots existing and of record, (i.e. documented by recording of a metes and bounds description; or a Certified Survey Map; or a recorded platted subdivision) but of substandard size, may be devoted to uses permitted in the district in which it is located. Additions to existing structures and the construction of accessory buildings when a principal structure exists on the premises may be permitted by permit provided all other requirements, regulations, and setbacks can be met. (Amended July 20, 1995)

Change to read:

- 1) After adoption of this ordinance, or an amendment thereto, no lot area shall be so reduced that the dimensional and yard requirements required by this ordinance cannot be met. Lots existing and of record, (i.e. documented by recording of a metes and bounds description; or a Certified Survey Map; or a recorded platted subdivision) but of substandard size, may be devoted to uses permitted in the district in which it is located, providing all other provisions are met. Additions to existing structures and the construction of accessory buildings when a principal structure exists on the premises may be permitted by permit provided all other requirements, regulations, and setbacks can be met.

2)

4.25 Lot Sizes

4.251 Creation of Lots

Reads:

1) Any LOT created after adoption of this ordinance, or an amendment thereto, shall contain in rectangular form, and extending rearward from the LOT FRONT, the-most restrictive minimum LOT AREA, LOT WIDTH and LOT DEPTH requirements contained in either Section 4.417 LAKE CLASS DEVELOPMENT STANDARDS or Section 18.0 DIMENSIONAL REQUIREMENTS.

Change to read: 1) Any LOT created after adoption of this ordinance, or an amendment thereto, shall contain in rectangular form, and extending rearward from the LOT FRONT, the minimum LOT AREA, LOT WIDTH and LOT DEPTH requirements contained in Section 18.0 DIMENSIONAL REQUIREMENTS.

4.251 Creation of Lots

Reads

2) Creation of LOTs in which the LOT DEPTH cannot be met within the first 200 feet.

- a) LOT AREA shall be, at a minimum, 150% of the most restrictive minimum requirements of either Section 4.417 LAKE CLASS DEVELOPMENT STANDARDS - (Lot Size) or Section 18.2 Required Lot Area.

Change to read:

2) Creation of LOTs in which the LOT DEPTH cannot be met within the first 200 feet.

a) LOT AREA shall be, at a minimum, 150% of the minimum requirements of Section 18.2 Required Lot Area.

SECTION 4.52 OPTION TWO – RAISING CHICKENS IS ALLOWED

Reads:

3) Enclosure

(c) The enclosure shall meet the minimum setbacks required of a dwelling. The most restrictive setbacks mandated by 4.417 Lake Class Development Standards or 18.0 Dimensional requirements shall apply.

Change to read:

3) Enclosure

c) The enclosure shall meet the minimum setbacks required of a dwelling. The dimensional requirements of 18.0 shall apply.

Add:

SECTION 4.6 HORSES IN NON-AGRICULTURAL ZONE DISTRICTS (RR-1, RR-2 and F-1 Zone Districts)

(1) Horses shall be permitted only on lots where a conditional use permit has been granted or on Agricultural zoned lands. In acting on any conditional use permit for horses, the Zoning Committee may impose such conditions as are necessary to secure the objectives of this chapter, including, but not limited to, the alteration, demolition, or reconstruction of existing structures within the time limits established by the Zoning Committee, giving consideration to the purposes of the chapter.

(2) In addition to the general requirements of this chapter and any conditions imposed in approving the conditional use permit, each site shall conform to the following:

(a) Minimum lot size: Five acres.

(b) Number of horses permitted: The maximum number shall be set by the conditional use permit and shall depend on the specific site characteristics and conditions of the permit. The characteristics to be considered shall include, but not be limited to: access to roads and equestrian trails; road conditions; streams and waterways; watersheds; vegetation; surrounding properties; slope; and visual impacts.

(3) Stalls and corrals: New construction or remodeled stalls shall be a minimum 12 by 12 feet in size, and existing stalls shall be a minimum 10 by 10 feet in size. All stables shall have room for daily turnouts. Turnouts shall have water for horses. Each horse shall have shelter available.

(4) Boarding: Up to 50% of the permitted horses may be boarded horses.

(5) Setbacks: For any new stable, at the time of construction, the stable shall be located not less than 50 feet from the nearest property line, recognizing that the Zoning Committee may require a greater setback in issuing a conditional use permit for the use based on existing site conditions and surrounding site conditions. Turnout and riding rings, fences shall be a minimum distance of 50 feet from any neighboring property line. Other setback requirements shall be as defined in the County's Zoning Ordinance.

(6) Residence: There shall be a full time residence owner.

(7) Stallions: Fencing shall be six feet in height. Signs shall be posted on stall doors, Turnout gates, and fences adjacent to trails indicating a stallion is kept therein. The owner shall disclose on the stable permit that a stallion is on the premises.

(8) Renting and hiring horses prohibited. No horse shall be rented or let for hire, except for equestrian instruction.

SECTION 5.0 SIGNS

Reads:

5.11 Permit Required. Except as otherwise specifically authorized, no sign shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered within Sawyer County until a permit has been issued by the Sawyer County Zoning

Administrator. No permit shall be issued for a sign not in conformity with the size, type, number, location, and use regulations affecting each zone district.

Add to end of paragraph:

Approval must be obtained by the Wisconsin Department of Transportation for any sign that is to be located on a state highway.

SECTION 6.0 REGULATION OF SPECIAL USE

6.1 GENERAL PROVISIONS

Reads:

Except as added or altered hereafter in this section, the procedure and requirements of Section 8.0 governing conditional uses, shall apply.

Delete sentence and replace with:

See Section 6.9

SECTION 6.6 TRAILER CAMPS AND CAMPGROUNDS

Reads:

6.62 Maximum number of sites – 15 per gross acre

Change to read:

6.62 Maximum number of sites – 10 per gross acre.

6.611 (4)(a)

(3) reads: Does not violate 4.422 IMPERVIOUS SURFACES

(4) reads: Mitigation is performed in accordance with Section 4.419 MITIGATION and a mitigation plan is approved by the Sawyer County Land and Water Conservation Department.

Delete (3) and (4)

6.611 (5)

(f) reads: Does not violate 4.422 IMPERVIOUS SURFACES

(g) reads: Mitigation is performed in accordance with Section 4.419 MITIGATION and a mitigation plan is approved by the Sawyer County Zoning and Conservation Department.

Delete (f) and (g)

6.86 reads:

Sanitary facilities provided for under Section 3 of the Sawyer County Private Sewage System Ordinance.

Change to read:

Sanitary facilities provided for under Section 2 of the Sawyer County Private Sewage System Ordinance.

SECTION 6.9 SPECIAL USE APPLICATION

6.91 reads:

6.91 General. Land uses listed as permitted by a special use application are allowed only after review, consideration, and approval of the Town Board and the Zoning Administrator. This category recognizes that land uses vary in their degree of impact on both community and resources. Special uses are considered less critical than conditional uses, but of such importance that they shall be subject to review by the Town Board and the Zoning Administrator.

Change to read: Land uses listed as permitted by a special use application in the A-1 and F-1 zone districts are allowed only after review, consideration, and approval of the Town Board and the Zoning Administrator. This category recognizes that land uses vary in their degree of impact on both community and resources. Special uses are considered less critical than conditional uses, but of such importance that they shall be subject to review by the Town Board and the Zoning Administrator.

6.94 reads:

6.94 Conditions:

The Zoning Administrator may attach any special provisions or condition to a special use application deemed necessary to further the goals and objectives of this ordinance. The Zoning Administrator shall be guided by those factors listed in Section 8.0 of this ordinance.

Change to read:

6.94 Conditions. The Zoning Administrator and/or the Town Board may attach any special provisions or condition to a special use application deemed necessary to further the goals and objectives of this ordinance. The Zoning Administrator and/or the Town Board shall be guided by those factors listed in Section 8.0 of this ordinance.

6.96 Special Events (1-3 Days)

Reads:

- 1) Special events, as described in this section, include events for profit such as concerts. Special events do not include family gatherings, auctions etc.
- 2) The provisions of Section 6.7, Major Recreational Equipment/Vehicles, may also apply to the issue of special events.
- 3) Approval must be granted by the Sawyer County Zoning Committee for any special events held in the county that will exceed five-hundred (500) people. A letter of approval from the Town Board must be obtained. Applicants must contact the respective Town Clerk and the Zoning Office to be placed on the Town and Sawyer County Zoning Committee agendas at least thirty (30) days prior to the event date.
- 4) A plot plan of the event site and a plan of operations containing the following information shall be submitted to the Town Board and the Sawyer County Zoning Committee:
 - (a) Type of event being held.
 - (b) Time period the event will take place.
 - (c) Location of sanitary facilities.
 - (d) Location of water.
 - (e) Location of entries and exits.
 - (f) Parking area.
 - (g) Garbage dumpsters.
 - (h) Straight line distance from the event area to the nearest private residence.
 - (i) Will there be traffic control?
 - (j) Will there be ambulance/medical staff on premises?
 - (k) Will food/beverages be sold on the premises?
 - (l) Proof of insurance for the event.
- 5) Events utilizing Sawyer County lands/property, and with the permission of the Sawyer County Board of Supervisors or any committee authorized to act on behalf of the Sawyer County Board of Supervisors, must provide proof of insurance of the event, but are otherwise exempt from all other requirements of Section 6.9.
- 6) Events held within the City of Hayward are exempt from all requirements of Section 6.9.

Change to read:

6.96 SPECIAL EVENTS (1-3 Days).

Special events do not include auctions or family gatherings such as weddings, birthday parties, etc.

- 1) Approval must be granted by the Sawyer County Zoning Committee and the respective Town Board for any special event held in the county that will exceed one hundred (100) people. Applicants must contact the respective Town Clerk and the Zoning and Conservation Office to be placed on the Town and Sawyer County Zoning Committee agendas at least thirty (30) days prior to the event date. Written approval from the Town Board must be obtained.
- 2) A Special Events application, plot plan of event site and a plan of operations containing the following information shall be submitted to the Town Board and the Sawyer County Zoning Committee for approval:
 - a) Type of event being held.
 - b) Time period the event will take place.
 - c) Location of sanitary facilities.
 - d) Location of water.
 - e) Location of entries and exits.
 - f) Parking area.
 - g) Garbage dumpsters.
 - h) Straight line distance from the event area to the nearest private residence.
 - I) What roads will be affected? Will there be traffic control?

- j) Will there be security/law enforcement throughout the event?
 - k) Will there be ambulance/medical staff on premises?
 - l) Will food/beverages be sold on the premises?
 - m) Will there be overnight camping? If so, the provisions of Section 6.7, Major Recreational Equipment/Vehicles, may apply.
- 3) Events utilizing Sawyer County owned lands/property, with the permission of the Sawyer County Board of Supervisors or any committee authorized to act on behalf of the Sawyer County Board of Supervisors must provide proof of insurance of the event.
- 4) Proof of insurance is required.
- 5) Events held within the City of Hayward and incorporated areas are exempt from all requirements of this Section.

SECTION 8.2 PROCEDURE

8.21 Application.

Reads: Applications for a conditional use shall be made to the County

Zoning Administrator who shall promptly refer the application to the County Zoning Committee. In addition to the information required under Section 9.2 for a land use permit, the County Zoning Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request.

Delete: “promptly”

8.24 Recording.

Reads: When a conditional use has been granted, an appropriate record shall be made of the land use and structures permitted and such use shall be applicable solely to the structures, use and property so described.

Change to read: When a conditional use has been granted, an appropriate record shall be made of the land use and structures permitted and such use shall be applicable solely to the structures, use, and property and in some cases to the property owner, subject to the recording of a deed restriction.

SECTION 9.0 ADMINISTRATOR

9.12 Duties

9.12 (9) reads: Investigate and report violations of this ordinance to the appropriate County Zoning Committee and the District Attorney or Corporation Counsel.

Change to read:

9.12 (9) Investigate and report violations of this ordinance to the County Zoning Committee and/or Corporation Counsel.

9.2 Land Use Permits

9.22 (3) Application Procedure reads:

Scaled maps or drawing showing accurately the location, size and shape of the lot(s) involved, and of any proposed structure; including the relation to abutting roads, watercourses, and the existing and proposed use of each structure.

Change to read:

9.22 (3) Application Procedure

A scaled map or drawing accurately showing the location, size and shape of the lot(s) involved; all existing and/or proposed structure(s) including the location of any public or private road or easement, or any wetlands or watercourses.

9.23 Expiration

Reads: A land use permit shall expire twelve (12) months from the date of issuance if no action has begun on the project within that time.

Add to end of sentence:

An extension of up to six months may be granted, if requested prior to the expiration date of the permit.

SECTION 10.0 NONCONFORMING USES

10.1 CONTINUATION OF NONCONFORMING USES

Reads: 10.12 The maintenance and repair of nonconforming boathouses that extend water-ward beyond the ordinary highwater mark of any navigable waters shall comply with the requirements of Section 30.121, Wisconsin Statutes.

Change to read: The maintenance and repair, additions or alterations of nonconforming structures may continue provided there is no increase in the nonconformity.

Delete: 10.13 If the nonconforming use of a temporary structure is discontinued, such nonconforming use may not be recommenced.

Renumber 10.14 to 10.13

Renumber 10.15 to 10.14

10.2 Estimated Fair Market Value

10.21 reads: No structural alteration, addition or repair to any building or structure with a nonconforming use or any nonconforming building or structure, over the life of the building or structure, shall exceed 50 percent of the building or structure's current estimated fair market value unless it is permanently changed to conform to the requirements of this ordinance.

Change to read: No structural alteration, or addition to any building or structure with a nonconforming use or any nonconforming building or structure, over the life of the building or structure, shall exceed 50 percent of the building or structure's current estimated fair market value unless it is permanently changed to conform to the requirements of this ordinance.

10.22 reads: If the alteration, addition or repair of a building or structure which a nonconforming use or a nonconforming building or structure is prohibited because it is in excess of 50 percent of the current estimated fair market value, the property owner may still make the proposed alteration, addition, or repair if:

Change to read: If the alteration or addition of a building or structure which a nonconforming use or a nonconforming building or structure is prohibited because it is in excess of 50 percent of the current estimated fair market value, the property owner may still make the proposed alteration, addition, or repair if:

10.3 Restoration of Certain Nonconforming Structures

10.32 reads: Nonconforming Structures Located Within the Shorelands

1. Refer to State Statutes 59.692(1s)(a) Zoning of Shorelands on Navigable Waters.

2. Restoration shall be in accordance with all provisions of other applicable ordinances.

Delete (1) & (2) and replace with: See Sawyer County's Shoreland/Wetland Protection Ordinance.

SECTION 11.0

BOARD OF ADJUSTMENT

Change to read: BOARD OF APPEALS

11.23 Public Hearing Location

Reads: Any Public Hearing which the Board of Appeals is required to hold under Section 11.26, Powers and Duties of the Board of Appeals, shall be held in a town hall or other place as convenient as may be to the location or locations to be considered at such public hearings by name, address, or other commonly known means of identification, shall be included in the notice given of such hearing.

Change to read: Any Public Hearing which the Board of Appeals is required to hold under Section 11.26, Powers and Duties of the Board of Appeals, shall be held in a place as convenient as may be to the location or locations to be considered at such public hearings by name, address, or other commonly known means of identification, shall be included in the notice given of such hearing.

11.4 APPEALS

Reads:

11.41 Appeals to the Board of Appeals may be made by any person aggrieved or by an officer, department, board or bureau of the county affected by any decision of the Zoning Administrator or other administrative officers. Such appeal shall be made within a reasonable time, as provided by the rules of the board, by filing with the officer whose decision is in question, and with the Board of Appeals, a notice of appeal specifying the reasons for the appeal. The Zoning Administrator or other officer whose decision is in question shall promptly transmit to the Board all the papers constituting the record concerning the matter appealed.

Delete the word "promptly" from last sentence.

11.42 HEARING APPEALS

3) Reads: The final disposition of an appeal to the Board of Appeals shall be in the form of a written resolution or order signed by the chairman and secretary of the board. Such resolution shall state the specific facts which are the basis of the board's determination and shall either affirm, reverse, vary, or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or prosecution or grant the appeal.

Change to read:

3) The final disposition of an appeal to the Board of Appeals shall be in the form of a written decision or order signed by the chairman, secretary or designee of the board or by the board's legal counsel. Such written decision shall state the specific facts which are the basis of the board's determination and shall either affirm, reverse, vary, or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the .

SECTION 17.0 ZONE DISTRICTS

17.2 RR-1: Residential/Recreational One

B) Uses Authorized by Conditional Use

15) reads: MULTI-DWELLING DEVELOPMENT or other similar development including a condominium, hotel, motel or resort, or other development, which in the opinion of the County Zoning Committee, are of the same general scale and character. Does not include conversions of existing properties to a different form of ownership (i.e., to condominium ownership) unless DWELLING UNITS are being proposed by plat or other means that would be in addition to the existing rental/DWELLING UNITS. Does not include existing MULTI-DWELLING DEVELOPMENTS unless creating additional DWELLING UNITS.

Change to read:

15) Multi-Dwelling Development (i.e., new condominium, hotel, motel, resort or other similar development which is of the same general scale and character). (Does not include the conversion of existing properties to a condominium ownership, existing resorts, motels, hotels or any other existing multi dwelling development unless more rental/dwelling units are being proposed by plat or other means that would be in addition to the existing rental/dwelling units.

Add:

#20) Horses

17.3 RR-2 Residential/Recreational Two

A) Permitted Uses

#7) reads: Will allow a cabin resort to build additional cabins providing lot requirements are met.

Change to read:

#7) Will allow a cabin resort to build additional cabin(s) provided lot area requirements are met.

B) Uses Authorized by Conditional Use

Add: #21) Horses

SECTION 18.0 Dimensional Requirements

NOTE (1) reads: Refer to Section 4.417 Lake Class Development Standards Table for parcels created after April 15, 1997.

Delete language in NOTE (1) and renumber NOTES as follows:

18.4 (b) Yard Required

Reads: { See NOTE (2) below }

Change to read:

{ See NOTE (1) below }

18.5 Floor Area, Residence (sq/ft)

Reads: See NOTE (3) below

Change to read:

{ See NOTE (2) below }

18.6 Minimum Residence Width

Reads: {See NOTE (3) below

Change to read:

{See NOTE (2) below

NEW BUSINESS

Any other business that may come before the Committee for discussion only.

/s/James Bassett, Chairman
Sawyer County Zoning Committee
Sawyer County Zoning & Conservation Administration
10610 main, Suite #49
Hayward, WI 54843

Copies: Committee Members
 Town Clerk
 Town Chairman
 Corporation Counsel
 WIDNR
 WIDOT

Published: 2016
 2016