

**MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEALS
March 19, 2019**

Board of Appeals

Alan Gerber, Chairman
Laura Rusk
Mark Olson
Dee Dobilas
Steve Kelsey

Zoning Administration

Dale Olson, Zoning & Conservation Administrator
Jay Kozlowski, Assistant Zoning & Conservation Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator

PRELIMINARY MATTERS

- 1) Call to Order and Roll Call
Gerber called the Public Hearing before the Sawyer County Zoning Board of Appeals to order at 6:00 P.M. in the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll call finds present: Al Gerber, Laura Rusk, Mark Olson, Steve Kelsey and Dee Dobilas. Olson and Kozlowski were present from the zoning office. Marks is absent.
- 2) Statement of Board and Hearing Procedures.
Those wishing to speak will be afforded the opportunity provided they identify themselves. Gerber gave order of submitting files to BOA, taking testimony, and making a decision. He requests orderly procedure and gives appeal deadline.
- 3) Statement of Hearing Notice.
The Public Hearing Notice was published as a Class 2 Notice in accordance with Chapter 985 of the Wisconsin Statutes in the Sawyer County Record and Sawyer County Gazette on February 27 and March 6, 2019.

VARIANCE APPLICATION

1) Town of Edgewater; VAR 19-003; Gregory & Susan Zahler. Part of Government Lot 2, Lot 2 CSM 10/288 #2240; S05, T37N, R09W; .450 Total Acres; Zoned (RR-1) Residential/Recreational One; Located at 2264N County Hwy F. Application is for the construction of a 26'x28' (28'x30') with eaves detached accessory structure (garage). The proposed structure would be located 50' from the centerline of County Hwy F at the closest point. Variance requested as: Section 4.21 (2), Sawyer County Zoning Ordinance would require the prior granting of variance for any structure closer than 75' from the centerline of a Class B (County Trunk Highway) or 42' from the right-of-way line, whichever is greater distance. They are the same distance in this case. Dale Olson reads application, Town approval and Opinion letters. Gregory Zahler, owner speaks in favor of the application. Discussion held with Committee, Zahler, Olson and Kozlowski. No other audience comments. Discussion by Board. Motion by Mark Olson to approve the application with conditions of: Removal of old cabin, Side load entrance from the South, Abandon the old septic system, Maximum height of 26', No habitable space in structure, 1 year time frame to apply for Land Use Permit. Second by Dee Dobilas. Discussion on motion. Findings of Fact: Overriding public interest on unnecessary hardship, actually gaining by getting that old abandoned structure that is closer to

the road removed. It is not infringing on the lakeshore. No harm to public interest. All in favor. Motion approved 5 to 0.

2) Town of Hunter, VAR 19-004; Kristin Koehnen. Part of Government Lot 2, Lot 5 CSM 4/96 #718 & OL 2 CSM 31/58 #7673; S06, T39N, R07W; 1.005 Total Acres; Zoned (RR-1) Residential/Recreational One; Located at 12065W Conger Road. Application is for the construction of a 26'x28' (30'x32' with eaves) detached 2-story accessory structure (garage). The proposed structure would be located 5' from the rear lot line at the closest point and would meet all other setbacks. Variance requested as: Section 18.4(a), Dimensional Requirements of the Sawyer County Zoning Ordinance would require the prior granting of a variance for any structure closer than 40 from the rear lot line. Dale Olson reads the application, Town approval and Opinion letters. David Jordhiem husband of Kristin Koehnen speaks in favor of application. Discussion with Board, Olson and Kozlowski. No other audience comments. Discussion by Board. Motion by Al Gerber to approve the application with conditions of: 1 year time limit to apply for Land Use Permit, No kitchen or bedrooms, Maximum height of 29', Apply for a permitted septic system. Second by Mark Olson. Findings of Fact: It would not be a self-created hardship due to the Unique limitations with the wetland and easement. No change of use in zone district, No harm to property rights of others. All in favor. Motion approved 5 to 0.

NEW BUSINESS

1) Any other business that may come before the Board. Jay Kozlowski explains of the Accessory Structure exemptions that he and Mark Olson have been working on. Setbacks, etc. Hands out information to Board. Discussion with Board continues. Allow for 12' setback on ROW of Town roads for side load and 22' on end load. Discussion continues that with proposed limitations the BOA would generally approve these variances. Recommendation to send to ZC.

ADJOURNMENT

Motion made by Al Gerber to adjourn, second by Mark Olson. All in favor.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator

**Please contact our office at 715-634-8288, email at jay.kozlowski@sawyercountygov.org or see our website at sawyercountygov.org for more information.