

**MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEALS
June 21, 2022**

Board of Appeals

Alan Gerber, Chairman
Laura Rusk
Steve Kelsey
Dee Dobilas
James Tiffany
Gordon Christians

Zoning Administration

Pat Brown, Assistant Zoning 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-absent, Steve Kelsey, Dee Dobilas, James Tiffany and Gordon Christians. Brown and Marks are present from the Zoning Office.

2) Statement of Board and Hearing Procedures & Statement of Hearing Notice. Gerber reads the preliminary matters. 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. 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.

3) Approval of April 26, 2022 Minutes. Motion by Kelsey to approve the April 26, 2026 minutes as presented. Second by Dobilas. All in favor.

VARIANCE APPLICATION

a) A public hearing in the Town of Edgewater. VAR #20-002. Owners: Craig Longacre & Lisa Longacre. Woodland Park, Lot 6; S19, T37N, R09W; Parcel #008-192-00-0600; .268 acres; Zoned Residential/Recreational One (RR-1). Application is for the construction of a 24' x 24' (26' x 25' with eaves) attached garage and a 5' x 24' portion of an attached foyer onto an existing permitted primary dwelling. The purposed attached garage area and a portion of the foyer area is needing the variance approval. The attached garage would be 34' at the closest point to the centerline of Maple Terrace Drive, a town road and 24' at the closest point to the road right-of-way. It should be noted that the traveled width of this is only 20' and is not located in the middle of the platted road right-of-way. Variance is requested as: Section 4.21 (3) Setback Requirements on Highways and Roads, Sawyer County Zoning Ordinance, would require the prior granting of a variance for any structure located closer than 63' to the centerline of a Town

Road or 30' from the right-of-way, whichever is greater. Brown reads the application, staff report, Town opinion & Neighbor opinions. Craig Longacre, owner speaks in favor of the application, speaks of the history of the site and of the exhibits included in the packet. Discussion with Committee. Heather Harrington, engineer & designer storm water basin speaks in favor of the application and that it is a 10 year flood event and exceed capacity. Linda Zillmer, Edgewater property owner speaks in opposition of the application. No other comments. Discussion held. Linda Zillmer, Edgewater property owner speaks not against development but, non-conformity and must meet setbacks. No other discussion. Discussion held with Committee, Harrington and Brown. Motion by Christians to approve the variance application, second by Dobalis. No discussion. Vote finds 5 to 0 in favor. Findings of Fact: No other alternatives exist. The impacts of construction are being minimized by mitigation. A minimal relaxation of code is being granted. A permitted use is not possible on this property without a variance approval. The circumstances are beyond the control of the applicant, and are unique to the property not the applicant. The lot predates zoning regulations. The construction matches the lot and available area.

b) A Public Hearing in the Town of Hayward, VAR#22-003. Owners: ACRCMK Trust. Part of Government Lot 2 & Lots 1 & 2 CSM 6/76 #1153; S22, T40N, R08W; Parcel #010-840-22-5203; 7.06 total acres; Zoned Forestry One (F-1). Application is for the construction of a 30' x 40' pole building with a 12' x 60' lean to/greenhouse. Variance requested as: Application for 2nd building subject to Sawyer County Zoning Ordinance Section 4.26 (2). This will be the 2nd accessory structure across the Town road from where the principal dwelling is located. Brown reads the application, staff report, Town opinion and neighbor opinions. Carol Kies, owner speaks in favor of the application and needing another accessory building. A 60'x12'. Discussion with Board held. There will be no commercial use. Linda Zillmer, Edgewater property owner speaks of the F-1 district, principle structures and adding a 2nd accessory building across a Town road. Discussion by Board. Linda Zillmer, Edgewater property owner speaks of principle building. Discussion continues. Motion by Tiffany to accept the application as a 30'x40' or 30'x60' accessory building with conditions of a deed restriction for not subdividing the lot, must stay contiguous with a maximum of 2 outbuildings across the Town road. Lots 1 & 2 cannot be subdivided. Second by Gerber. Findings of Fact: It would not be damaging to the rights of others or property values. It is compatible with F-1 zone district. All in favor.

NEW BUSINESS

1) Board of Appeals opinion of Department of Natural Resources offering comments for shoreline zoning variance request. Brown explains that the DNR would like a signed letter to get opinions from regarding shoreland Land Use Permits. All members agree and sign letter.

2) Any other business that may come before the Board for discussion. Gerber informs that he may be gone for the meeting in September. Discussion held on how to run the BOA meeting. Gerber would like Marks to send the link of a Zoning Committee meeting and the Kurtzweil appeal.

ADJOURNMENT

Motion made by Christian to adjourn, second by Kelsey. All in favor. 7:30 pm

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator