

**MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEAL
July 19, 2022**

Board of Appeals

Al Gerber - Chairman
Laura Rusk – Vice Chairman
Steve Kelsey
Dee Dobilas
Gordy Christians
Jim Tiffany
Joe Beran

Zoning Administration

Jay Kozlowski, Zoning & Conservation Administrator
Pat Brown, Assistant Zoning Administrator
Kathy Marks, Deputy Zoning & Conservation Administrator

PRELIMINARY MATTERS

a) 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 is called finding present: Gerber, Rusk, Kelsey and Tiffany. Dobilas absent. Kozlowski and Brown are present from the Zoning Office. Marks is absent.

b) 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.

c) 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.

d) Approval of the June 20, 2023 Minutes. Motion by Rusk.to approve the June 20, 2023 minutes, second by Kelsey. All in favor.

VARIANCE APPLICATIONS

a) A Public Hearing in the Town of Round Lake. VAR #23-003. Owners: John & Jeanne Skul. Part of Government Lot 2; S09, T41N, R07W; Parcel #024-741-09-5203; Tax ID#25103; 2.39 total acres; Zoned Forestry One (F-1) & Residential/Recreational One (RR-1). Application is for construction of an attached garage & shop area with 2nd story habitable living area. Option “A” is for a 41’ x 26’ including 10’ x 17.5’ bump out area. Proposed expansion to be 2’ at the closest point to a non-navigable wetland. Or Option “B” for a 34’ x 28’ including 10’ x 19.5’ bump out area. Proposed expansion to be 7’ at the closest point to a wetland. Setbacks measured to eaves overhangs which would include additional 2’. Variance requested as Section 6.1 of the Sawyer County Shoreland – Wetland Protection Ordinance would require prior granting of a Variance for

any structure closer than 40' to a non-navigable wetland. Option "A" is requesting a 2' setback from eave. Option "B" is requesting a 7' setback from eave. Previous garage Variance was granted in 2007 for a 9' setback. Existing garage would be removed with approved new Variance. Kozlowski reads the variance application #23-003, staff report Town opinion and DNR opinion, no other comments. Gerber requests Town of Round Lake opinion letter reread. Gerber asks Kozlowski regarding specific conditions. John Skul, owner speaks in favor of application and that the wetlands will be protected during construction. Also hands out building plans for the subject. No other comments. Gerber turns over to the Board of Appeals. Discussion continues with owner. Gerber motions to approve option B of variance #23-003, second by Kelsey. Discussion held. Gerber motions to amend to include a rain garden mitigation system needed to advert impacting to wetlands. Second by Kelsey. Findings of Fact: 1) It would not be damaging to the rights of others or property values. 2) It would not be detrimental to ecology, wild life, wetlands or shorelands. 3) It would not create topographical problems such as run off, drainage, erosion, flooding or vegetative cover removal. 4) No harm to public interest. Vote 3 to 1 to approve.

b) A Public Hearing in the Town of Hunter. VAR #23-004. Owners: Richard & Pamela Kamholz and Craig & Angela Strouse. Part of Government Lots 2 & 3; Lot 1 CSM 32/125 #7847; Parcel# 012-740-04-5205; Tax ID#41348; 5.30 total acres; Zoned Residential/Recreational One (RR-1). Application is for the construction of a 27' x 66' (31' x 70') accessory structure, single story. This new garage would replace existing 51' x 26 with 7' x 11' bump out. The proposed accessory structure would be located as close as 25' to an adjacent wetland connected to the high water mark of Reed Lake. Existing structure to be removed is currently 15' to the adjacent wetland. Variance is requested as Section 6.1 (1) Sawyer County Shoreland – Wetland Protection Ordinance, would require prior granting of a Variance for any new structures not replaced within existing footprint inside a setback distance of 75'. New proposed structure to be placed at 25' replacing existing located at 15' and outside of existing footprint. Kozlowski reads the application, staff report, Town approval, opinion letter and DNR letter. Richard Kamholz, owner speaks in favor of the application. Craig Strouse, owner speaks of the lot. Discussion with Board held. No additional comments. Motion by Kelsey to approve as presented with rain garden and removal of existing garage. Also removal of 19' structure to be removed within 90 days of permit issuance. If not removed a fine of \$500.00 per day will be enforced. Second by Rusk. Findings of Fact: 1) It would not be damaging to the rights of others or property values. 2) It would not be detrimental to ecology, wild life, wetlands or shorelands. 3) It would not create an air quality, water supply or pollution problem. 4) It would not create topographical problems such as run off, drainage, erosion, flooding or vegetative cover removal. No problems with runoff with the rain garden and capture base. Vote 4 to 0 to approve. Discussion by Board.

APPEALS

None

NEW BUSINESS

- a) Kozlowski informs the Board that the Kurtzweil case is in the appellant court. No decision on the stay motion. No news. Discussion held.
- b) Any other business that may come before the Committee for discussion. None

ADJOURNMENT

Motion to adjourn by Gerber at 5:52pm

Minutes prepared by Pat Brown, Zoning Assistant & Kathy Marks, Deputy Zoning and Conservation Administrator.