AGENDA
SAWYER COUNTY BOARD OF APPEALS
January 15, 2018 at 6:00 PM
Sawyer County Courthouse

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

VARIANCE APPLICATION
1) Town of Bass Lake - #19-001 – John & Pamela Buss. Rockford Beach Lots 24 & 25 Block 6; Rockford Beach Lot 26 Block 6; S30, T40N R08W; Parcel #002-169-06-2400 and #002-169-06-2600; .828 Total Acres; Zoned Residential/Recreational Two (RR-2). Application is for: The construction of a 30’ x 50’ (with eaves) accessory building on a vacant lot. The proposed structure would meet all other setback requirements for an accessory building. Variance requested as: Section 4.26 (1) Sawyer County Zoning Ordinance would require prior granting of variance for any accessory structure on vacant property where the property owner did not want to obtain a conditional use permit to build a principal dwelling within the 3 year time frame.

APPEAL
1) Town of Hayward - #19-001 – Ryan & Ryan, Keith & Linda Ryan. Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One. Purpose of request is to have a Used Car Sales establishment. Denied at Zoning Committee on November 16, 2018.

NEW BUSINESS
1) Any other business that may come before the Committee for discussion.

ADJOURNMENT

A Quorum of the County Board of Supervisors or any of its committees may be present at this meeting to listen and observe. Neither the Board nor any of the committees have established attendance at this meeting as an official function of the Board or committee(s) or otherwise made a determination that attendance at the meeting is necessary to carry out the Board or committee’s function. The only purpose for other supervisors attending the meeting is to listen to the information presented. Neither the Board nor any committee (other than the committee providing this notice and agenda) will take any official action with respect to this noticed meeting.
Town of Bass Lake  
County of Sawyer  
December 2, 2018  
Date

SUBJECT: Variance Application

To: Sawyer County Zoning & Conservation Administration  
10610 Main Street, Suite 49  
Hayward, Wisconsin 54843-0668

Owner: John & Pamela Buss  608-393-6233  pamcake101@gmail.com  
Address: S9383 Slotty Road  Prairie Du Sac, WI 53578

Anticipated time of presentation (minutes) to the Board of Appeals: 15-30 minutes

Property description: Rockford Beach Lots 24 & 25 Blk 6 002-169-06-2400  
Rockford Beach Lot 26 Blk 6 002-169-06-2600  
S30 T40N R08W  
7851N Highland Ave

Volume and page no. of deed: WD#204754 and QCD 413589

Acreage and lot size: .207 Acres

Zone district: RR-2 Residential/Recreational Two

Application is for: The construction of a 30' x 50' (with eaves) accessory building on a vacant lot. The proposed structure would meet all other setback requirements for an accessory building.

Variance is requested as: Section 4.26 (1) Sawyer County Zoning Ordinance would require prior granting of variance for any accessory structure on vacant property where the property owner did not want to obtain a conditional use permit to build a principal dwelling within the 3 year time frame.

Name and address of agent:  
Attorney Michael A. Kelsey  
PO.Box.718  
10603N Kansas Avenue  
Hayward, WI 54843  
715-634-2400

Signatures of property owner and agent and/or purchaser. The above hereby make application for a variance. The above certify that the listed information and intentions are true and correct. The above person/s hereby give permission for access to the property for onsite inspections.

DEC 05 2018  
SAWYER COUNTY  
ZONING ADMINISTRATION
APPLICATION FOR VARIANCE
SAWYER COUNTY BOARD OF APPEALS
ADDITIONAL INFORMATION
(To be completed by applicant)

Completed by Pamela E Buss
(First Name) (MI) (Last Name)

The purpose of this form is to provide you with information that pertains to the granting of "area/dimensional" variances and to assist you in preparing for your presentation before the Sawyer County Board of Appeals. Use additional paper for responses if required. Example responses are not related to any variance ever reviewed by the Board of Appeals. This form will become a part of your application packet and is to be returned to the Zoning Department by the variance application deadline.

Part 1. Applicant supplied Information.
Current use of your property & improvements - (e.g., "Property contains a residential home with a detached garage.").

Property is occupied with a small unimproved seasonal cabin, no well or septic. The lots are level.
Applicant's primary seasonal cabin is located directly across Highland Avenue. The family has owned the primary cabin since 1966.

Refer to background information contained in Exhibit 1

Describe the variance requested - (e.g., "Add a 15' x 20' addition to the side of the home.").

Construction of a 30' x 50' accessory building (garage) across a town road from the primary structure (seasonal cabin).

Describe the effects on the property if the variance is not granted - (e.g., "The addition is required for year-round living and protecting property value.").

The old cabin can't be renovated without investing approximately $20,000 (not including well or septic). Structure will ultimately deteriorate. Decreased property values and eyesore for neighborhood would result.

Describe alternatives to the requested variance such as other locations, designs and construction techniques. Attach a site map showing alternatives that you considered in each category below.

a) Alternatives you considered that will comply with existing standards. If you find such an alternative, you may move forward with this option
with a regular permit. If you rejected compliant alternatives, provide the reasons that you rejected them.
(e.g., "Space is not available to expand in any other direction or location. House is too close to the side lot lines and the lake."

Refer to information contained as part of Exhibit 2
Applicants have adequate setback to construct a garage adjacent to primary cabin.

Flood/Erosion/Drainage/Runoff
Storm water runs off of Pine and Highland and collects in the low-lying area on the applicant's property. Topographic mapping indicates that this area is 4 feet lower than the primary cabin. A minimum of 20 loads of fill will need to be brought in. The garage will need to be constructed above grade to keep water from flooding the structure.

Drainage in the area will be affected by construction of a garage. This could potentially lead to flooding and erosion of two Town of Bass Lake roads.

Safety
It will be difficult to back a trailer into the garage from Highland Avenue. The garage will be built next to the intersection of Pine/Highland. Pine is only 33' wide.
No lighting exists at the corner of Highland and Pine. This is a safety concern for driving/backing as well as potential vandalism/robbery. Due to numerous break-ins, the applicants pay Excell Energy for a dusk/dawn security light at the primary cabin location. The security light is adjacent to the variance location. If the garage is constructed next to the primary cabin, applicants will only have a side view of the garage structure.
Applicants will not be able to see the doors at the front of the garage. This is a safety concern for vandalism/robbery. If the garage is constructed across the road from primary cabin, the front of the proposed garage will face the applicant's cabin.

b) Alternatives you considered that require a lesser variance and reasons you rejected them.
(e.g., "Addition is the minimum size that is required.").

Applicants' request for a Conditional Use Permit (CUP) to construct an accessory structure across a town road was denied by the Sawyer County Zoning Committee. The CUP was approved by the Town of Bass Lake.

The Zoning Committee's recommendation was to pursue a Variance request.

The County Zoning Committee agrees the property across the road from the applicant's cabin is the best location for the garage. Refer to Exhibit 3

Additionally, the November 16, 2018, audio recording from the Zoning Committee meeting reflects this belief. Specifically, location 1:54.40.

Describe the impact on your property and adjacent properties if the variance is granted.
(e.g., "Erosion during construction — will be controlled with silt fencing.


After construction there will be a greater impervious surface area. Gutters and downspouts will be used to divert water away from other properties and the lake. Shoreline buffer zone will be planted with native vegetation, trees and shrubs.

- Only minimal vegetative removal is required
- Existing lots are level, no excavation or fill required for construction
- Old cabin will be demolished and replaced with an attractive structure
- Convenient for applicant, the garage will be directly across road from primary cabin. Adequate lighting, and maneuvering space will alleviate safety concerns for applicants and neighbors.
- 8 adjacent property owners supported the applicants CUP request, 1 objection.
- The accessory building’s 3 lots will be tied together to the principal structure lots through a Quit Claim Deed or other legal document filed with the Register of Deeds.

Part 2: Three-Step Test.
To qualify for your requested variance, you must demonstrate that your property meets the following three requirements. This is known as the “three-step test.”

1) Unique Property Limitations.
Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors or the Town Board do not provide a basis for granting a variance:

Do unique physical characteristics of your property prevent compliance with the ordinance?

X Yes. Where are they located on your property? Please show the boundaries of these features on the site map that you used to describe alternatives considered. (e.g., “There is a wetland area that extends around one side of the house and also behind the house.”).

Refer to Exhibit 2 and narrative in Part 1 a.
Topographical map reflects a four-foot elevation drop from primary cabin to Pine/Highland.

Map of construction area indicates most of the garage is within a low area.

Addition of fill for construction is likely to cause flooding and potential erosion of Pine and Highland.

□ No. A variance cannot be granted
2) **No Harm to Public Interests.**
A variance may not be granted which results in harm to public interests. In applying this test, the Board of Appeals must consider impacts of your proposal and the cumulative impacts of similar projects on the interests of the neighbors and the entire community. Some, but not necessarily all of these considerations are: (1) Public health, safety and welfare, (2) water quality, (3) fish and wildlife habitat, (4) natural scenic beauty, (5) minimization of property damages and (6) achievement of eventual compliance for nonconforming uses, structures and lots.

Explain how the granting of this variance would not harm the public interests or how it may even enhance the public interests.

- A garage will be compatible with surrounding uses and the area.
- Construction at the proposed location will prevent runoff, erosion, drainage and flooding issues.
- The rights of others or property values will not be damaged.
- Minimal removal of existing vegetative cover.
- Demolition of an old dilapidated structure.

3) **Unnecessary Hardship.**
An applicant may not claim hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home.). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than just a portion of the parcel.

You are applying for an "area variance." An area variance relaxes a dimensional standard such as a setback, frontage, lot area, or height. For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. The importance of the public purposes of the ordinance, the degree to which the restriction supports those purposes and the extent of the relaxation of the restriction are weigh against the limitations full compliance would impose on use of the property.

Is unnecessary hardship present?

X Yes. Describe.

Unique property limitations as described under Part 2) and Part 1) of application.
When denying the applicant's CUP, the County Zoning Committee agreed the property across the road from the applicant's cabin is the best location for the garage.

The November 16, 2018, audio recording from the Zoning Committee meeting contains statements that the garage construction is a Variance/Board of Appeals issue. Specifically, locations 1:53:35, 1:58:00, 2:03:00, 2:15:20 and 2:22:50.

☐ No. A variance cannot be granted.
## Real Property Listing Page

### Real Estate | Sawyer County Property Listing
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12/7/2018, 9:15 AM
## Real Estate: Sawyer County Property Listing

### Current Status:
- Updated: 7/3/2013
- Ownership: JOHN & PAMELA BUSB
-assessor:
  - Property Description:
    - Assessor's Address: 600 Rush Ave, Park Falls, WI 54552
    - Description: Lot 6 Blk 3
- Status:
  - Status: For Sale
- Property Details:
  - Acres: 0.600
  - Type: Residential

### Tax District:
- Updated: 1/1/2007
  - District #1: Town of Iron River
  - District #2: Town of Iron River

### Appended Documents:
- Updated: 8/1/2016
  - District #1: Platmap
  - District #2: Platmap

### Property History:
- Updated: 1/1/2007
- Details:
  - Change 2012: 300
  - Change 2013: 300
  - Total Change: 300

### Additional Information:
- Data Source: Sawyer County Assessor's Office
- Data Source: Sawyer County Register of Deeds

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**Note:** The document appears to be a property listing page with detailed information about a property in Sawyer County, Wisconsin. The data includes ownership details, property description, tax district information, and additional property-related documents.
Sawyer County Zoning Administration
Inspection Report

Owner(s) John W Buss
Address S9383 Slotty Road, Prairie Du Sac, WI 53578
Agent/Purchaser Michael A. Kelsey
Address Kelsey Law Office, P.O. Box 718, Hayward, WI 54843

Bldr/Plber/CST
Address

Inspection [ ] Private [ ] Public [ ] Violation [ ] Zoning [ ] Sanitation
[ ] Dwelling [ ] Mobile Home [ ] Commercial [ ] Garage [ ] Addition
[ ] Setback - Lake [ ] Setback - Road [ ] Setback - Lot Line [ ] Soils Verification
[ ] Onsite INS Report

QCD#361255 0.483 acres RR-2 #7852N Highland Ave

Discussed with Michael Kelsey & Jay Kozlowski
Date & Time 11/2/18 1:00 PM
Signature of Inspector
Parcel is level. Garage construction will require removal of several trees and demolition of cabin.
Current View of Vacant Parcel 002-169-06-2600 Lot 26 Block 6 Rockford Beach

Parcel is level. Garage construction will require removal of several trees.
Sawyer County Zoning Administration
Inspection Report

Owner(s) John & Pamela Buss 608-393-6233
Address 9383 Slotty Road  Prairie Du Sac, WI 53578
Agent/Purchaser Michael Kelsey Attorney
Address
Bid/Pliber/CST
Address

Inspection  □ Private  □ Public  Violation  □ Zoning  □ Sanitation
□ Dwelling  □ Mobile Home  □ Commercial  □ Garage  □ Addition
□ Setback - Lake  □ Setback - Road  □ Setback - Lot Line  □ Soils Verification
□ variance required-accessory building on vacant property

QCD#407934  0.138 acres  RP 2  #7851N Highland Ave

Diagram:

* Proposed 30' x 50' garage with eaves. Proposed structure would be an accessory building or a vacant parcel. The proposed structure would meet all other setbacks.

* Owner to combine these 3 lots together and do a restrictive covenants with lot across road that would have principal structure.

Discussed with John & Pamela Buss and Michael Kelsey & Jay Kozlowski

Date & Time 11/23/18 1:00 PM
Signature of Inspector
Exhibit 2
Buss property south of Buss cabin at 7821N Highland. Most of the existing trees will need to be removed for garage construction. Although not evident from photos, location is a natural low area. Minimum 20 loads of fill will be necessary for construction of a garage. Photos are at southeast corner of Pine and Highland.
X APPROX LOCATION, NO SCALE
Exhibit 3
I would like to be involved in this conversation so I understand where we are at.

Dale, please come to my office at 1:00.

Rebecca, please call my number 715-638-3245.

Thanks,
Tom

From: Dale Olson
Sent: Tuesday, October 16, 2018 3:56 PM
To: Bruce Paulsen
Cc: Tom Hoff; Ronald Buckholtz
Subject: RE: Buss CUP

After speaking with both TJ and Rebecca Roecker, the item can be heard by the committee for their "reasonable discretion" as to whether the applicants can meet setbacks on the parcel with the dwelling. Also, the Hannah Bay storage item has been postponed and will be heard next month.

Dale Olson

From: Bruce Paulsen
Sent: Tuesday, October 16, 2018 4:40 PM
To: Dale Olson
Cc: Tom Hoff; Ronald Buckholtz
Subject: RE: Buss CUP

Are setback discretionary? To me they are measurements expressed in feet.

drove by the property today. Agree that building across the road, taking down the building on the that property is the last answer. Can he accomplish what he wants by getting a variance? I would not want to go down the road of discretionary interpretation of our ordinances. Once we start, where do we stop?
APPEAL OF DECISION MADE BY THE SAWYER COUNTY ZONING COMMITTEE

Date: 11/29/2018

Appellant(s): Keith and Linda Ryan

Address: 16081 W Park Rd, Hayward, WI 54843

Telephone #: 715-634-4679 Email: ______________

Property description: PRT NWSE Sec 33 T41N R9W

Deed # 356103 Acreage: 3.69 Zone district: C-1

Present use of property: Commercial Motel and Auto Repair Service

Used so continuously since (date): Since we owned it in Approx. 09/2006

The undersigned hereby requests a review of a decision made by the Sawyer County Zoning Committee at a public hearing held on (date): 11/19/2018

Decision of the Committee: A. It would be damaging to the rights of others and property values. B. It would not be compatible with the surrounding uses and the area. C. It would
create an objectionable view. In my opinion, A: there is no evidence that their will be and damage to any of the surrounding neighbors as I have been operating here for many years and have NOT shown any damaging evidence to any member of the community by operating, the way I do. Also, there is no evidence of decrease in property values. No member of the board stated they are an assessor nor real estate agent to substantiate their claim. B: This property already is running as motel and auto repair facility. The surrounding area already has a commercial convenience store/liquor store (use to sell gas) kiddy corner to this commercial property and has an operating RV/Campground directly across hwy 27. These corners are already running as commercial so there is no non-compatibility here. C: We already operate our business within the proper easements and will continue doing so, so there shouldn’t be any objectionable views.

It is my opinion that the Committee (did/did not) keep within its jurisdiction when making its decision. [Justify your opinion.] Act 67 is clear that “upon adding a conditional use to a zoning district, the municipality rejects, by that very act, the argument that the listed use is incompatible with the district”. Substantial evidence is defined as “fact and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion”.

It is my opinion that the Committee (did/did not) proceed on the correct theory of law when making its decision. [Justify your opinion.] There was a motion made to deny before discussion was even held. The committee based a portion of their decision on the Town’s decision. Town decisions
are advisory only. 2\textsuperscript{nd} we were not informed of the Town's meeting date nor their decision until we arrived at the county's meeting.

It is my opinion that the Committee's decision (was/was not) arbitrary, oppressive, or unreasonable and represented its will not its judgment. [Justify your opinion.] There was discussion by two members to offer conditions, but the motion died for lack of a second.

It is my opinion that the evidence was such that the Committee (could/could not) have reasonably made the decision in question. [Justify your opinion.] Discussion was held regarding how many commercial enterprises a single property could have. It doesn't and shouldn't matter. None of what was presented could be defined as "substantial evidence".
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<td>KEITH M RYAN DBA EDELWEISS MOTEL</td>
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Subject: Conditional Use Application

To: Sawyer County Zoning & Conservation
10610 Main Street, Suite 49
Hayward, WI 54843
E-mail: zone.deputy@sawyercountygov.org

Owner: Ryan
Address: 116081 US PARK RD
Phone #: 715-634-4167 E-mail address: 8ypose2.dweiss@yahn.com

Property description:
A+ NWSE Sec 38 T 41 N R 9 W

Legacy PIN ID# 010741334203 Acreage: 3.69
Property is zoned:

Permit is desired for:
sale of souvenirs (used car sale)

Keith Ryan
Linda Ryan
Date: 9-26-18

The above hereby make application for a conditional use. The above certify that the listed information and intentions are true and correct. The above person(s) hereby give permission for access to the property for onsite inspections by Sawyer County Zoning Staff.

Name, Address, Phone & E-mail of agent:

Date of Public Hearing: Nov. 16, 2018

(Revised 12/2016)
Wisconsin Department of Revenue Seller's Permit

Legal/real name: RYAN & RYAN

Business name: EDELWEISS MOTEL & AUTO SERVICE
                16801 W PARK RD
                HAYWARD WI 54834-0000

- This certificate confirms you are registered with the Wisconsin Department of Revenue and authorized in the business of selling tangible personal property and taxable services.
17.6.01 Commercial One District This district is intended to provide for the orderly
and attractive grouping, at appropriate locations, of retail stores, shops, offices, and
similar commercial establishments.

A) Permitted Uses – Facilities such as, but not limited to the following:
1) Retail stores and shops offering convenience goods and services.
2) Business and professional offices and studios.
3) Banks, and savings and loan offices.
4) Public and semi-public buildings and institutions.
5) Commercial entertainment facilities.
6) Laundromats.
7) Restaurants.
8) Taverns.
9) Medical and dental offices.
10) Auto service stations and maintenance facilities.
11) Public and private marinas.
12) Recreation service oriented facilities as stated in the RR-1 District.
13) Motels.
14) Rooming and boarding houses.
15) Mini-warehouse storage.
16) Living quarters on same premises of the business, provided that occupancy is
restricted to the property owner, or business operator, and his immediate family.

B) Uses Authorized by Conditional Use
1) Public and semi-public conditional uses as stated in the R-1 District.
2) New and used car sales establishments.
3) Transportation terminals.
4) Wholesaling establishments.
5) Farm implement sales firms.
6) Outdoor theaters.
7) Miniature golf, go-karts, and amusement parks.
8) Drive-in establishments offering in-car service to customers.
9) Automotive race track including stock cars, snowmobiles, and motorcycles.
10) Mineral exploration; mineral prospecting; nonmetallic operation; and mineral
reclamation, subject to Section 6.2.
11) Commercial bulk fuel storage facilities.
12) Funeral Homes
### Description

| Tax ID:          | 13207          | Updated: 10/27/2008 |
| PIN:            | 57-010-2-41-09-33-4 02-000-000030 |
| Legacy PIN:     | 0109-133-203    |
| Map ID:         | 14.3            |

Municipality: (010) TOWN OF HAYWARD
STR: 533 T-HIN R09W
Description: PRT NWSE
Recorded Acres: 3.690
Calculated Acres: 3.075
Lottery Claims: 1
First Dollar: Yes
Zoning: (C-1) Commercial One
ESN: 444

### Tax Districts

| 1 | State of Wisconsin |
| 57 | Sawyer County |
| 010 | Town of Hayward |
| 57247B | Hayward Community School District |
| 001700 | Technical College |

### Ownership

| LINDA M RYAN | HAYWARD WI |
| KEITH M RYAN DBA EDELWEISS MOTEL | HAYWARD WI |

Billing Address: KEITH M & LINDA M RYAN
16081W PARK RD
HAYWARD WI 54843

Mailing Address: KEITH M & LINDA M RYAN
16081W PARK RD
HAYWARD WI 54843

### Site Address

16081W PARK RD
HAYWARD 54843

### Property Assessment

<table>
<thead>
<tr>
<th>2018 Assessment Detail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code</td>
</tr>
<tr>
<td>G2-COMMERCIAL</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2-Year Comparison</th>
<th>2017</th>
<th>2018</th>
<th>Change</th>
</tr>
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<tbody>
<tr>
<td>Land:</td>
<td>75,100</td>
<td>75,100</td>
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<tr>
<td>Improved:</td>
<td>186,300</td>
<td>186,300</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total:</td>
<td>261,400</td>
<td>261,400</td>
<td>0.0%</td>
</tr>
</tbody>
</table>

### Property History

N/A
Town of Hayward
County of Sawyer

SUBJECT: Conditional Use Application #18-023

TO: Sawyer County Zoning & Conservation Administration
   10610 Main Street, Suite B49
   Hayward, Wisconsin 54843
   Phone: 715-634-4579
   Email: pcode@sawu.co.wi.us

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
        16081W Park Road
        Hayward, WI 54843

Property Description: Part of the NW1/4 of the SE1/4 of S33, T412N, R09W; Parcel #090-941-33-4203; 3.69 Total Acres; Zoned Commercial Dao.

Purpose of request is to have a Used Car Sales establishment.

Public Hearing date: November 16, 2016, 6:30 P.M. Sawyer County Court House

By Action of the Town Board, vote is: () Approved  () Tabbed  () Denied

Jeff Tomuth, Chairman

Gary Gerard, Supervisor

Dan Collins, Supervisor
Dear Board Members:

Your Town Board decision is an integral part of the decision making process for the Sawyer County Zoning Committee. The Zoning Committee would like your cooperation in stating the reasons or comments why you approved, denied, or tabled the request.

Re: Linda Ryan & Keith Ryan DBA Badwakes Hotel, CUP #218-G22

REASON #9, 13, 15, 16

Dated the 13th of November 2016

[Signature]

gyn Hand, Clerk
SAWYER COUNTY ZONING COMMITTEE
Check list for Findings of Fact
Rezone and Conditional Use

FOR APPROVAL

The change in zone district and/or conditional use would not be contrary to the public interest and would be in compliance with the spirit of the zoning ordinance because:

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.
5. It would not create traffic or highway access problems.
6. It would not destroy prime agricultural lands.
7. It would be compatible with the surrounding uses and the area.
8. It would not create an objectionable view.

GRAVEL PIT RENEWALS AND INITIAL APPROVALS
Conditions: Owner must maintain compliance with the requirements of NR 135 Nonmetallic Mining Reclamation and Sawyer County Ordinance for Nonmetallic Mining Reclamation.

FOR DENIAL

The change in zone district and/or conditional use would be contrary to the public interest and would not be in compliance with the spirit of the zoning ordinance because:

9. It would be damaging to the rights of others and property values.
10. It would be detrimental to ecology, wild life, wetlands or shorelands.
11. It would create an air quality, water supply, or pollution problem.
12. It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.
13. It would create traffic or highway access problems.
15. It would not be compatible with the surrounding uses and the area.
16. It would create an objectionable view.
Opinion Letters Sent Out for Public Hearing

Case # 18-022  Name: Ryan & Ryan

Date of Hearing: Nov. 16, 2018

[Conditional Use] Rezone Variance

19 Sent  11 Returned

Object  Non-Object

Name

- Edward & Yvonne Reissner
- Price Lite Inc.
- Luke & Monica Wilson
- Richard & Ulysses Wharton
- Linda Siteliff
- Roger & Ellen Tamash Jr.
- Robert Sharps
- Gregory & Robin Waterhouse
- Kevin Shipman & Debra Sedar
- Michael & Margaret McNichols
- John & Heidi Schneider
- Patrick Dray
- Eric Schirmer
- Richard Olaus
- Thomas & Patricia Maier Jr.
- Tobii TEC
- Wiedmann Wayward LLC
- State of WI
- Donata Paczyska
ECT: Conditional Use Application #18-022

Applicant: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843

Purpose of request is to have a Used Car Sales establishment.

As this could affect your neighborhood, we are asking your cooperation in filling out this questionnaire and returning it to us by November 12, 2018.

Public Hearing on November 16, 2018 at Sawyer County Courthouse 8:30am.

Your comments may be considered by the Zoning Committee in granting or denying the Conditional Use requested. Your signature is required on this form and sent back to the address above in order that your comments receive consideration. DO NOT COPY THIS FORM FOR OTHERS.

I have no objections to this ( )

I have objections to this X

Additional Comments:

He already does automotive work in garage - rest U-hauls off property and yard is full of vehicles already some times blocking view of street & stop sign 03.

(Please Print and Sign; Only (1) signature required) *Scot and/or Heidi Schmitz

You may scan and email to the above address.
Sawyer County Zoning and Conservation Administration
Sawyer County Courthouse
10610 Main Street, Suite #49  Hayward, Wisconsin  54843
(715) 634-8288
E-mail: zone.deputy@sawyercountygov.org

SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843

Phone: 715-634-4679
Email: ryansedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33 T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

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I have no objections to this ( ) I have objections to this X

Additional Comments:

__________________________________________________________________________
My property is most affected by this. As far as I can see Mr. Ryan has conducted a car repair and used car sale business all along. Apparently nobody objected to this - so why make it official now? Mr. Ryan has not been a good neighbor to me. He very often parks, facing my property, U-Haul trucks, as many as 12, along my property line - why? Right now they are not parked there - hoping for a good turnout to his request?

__________________________________________________________________________

(Please Print and Sign; Only (1) signature required) *Grete Schuenzel

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Sawyer County Zoning and Conservation Administration
Sawyer County Courthouse
10610 Main Street, Suite #49 Hayward, Wisconsin 54843
(715) 634-8288
E-mail: zone.deputy@sawyercountygov.org

RECEIVED
SAWYER COUNTY
ZONING ADMINISTRATION

SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
          16081W Park Road
          Hayward, WI 54843

Phone: 715-634-4679
Email: ryansewelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

Purpose of request is to have a Used Car Sales establishment.

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I have no objections to this ( )  I have objections to this X Please see attached comments.

Additional Comments:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

(Please Print and Sign; Only (1) signature required)  Roger and/or Ellen Domask Jr.
You may scan and email to the above address.
We have no objections as long as the used car sales does not exceed 3 cars at a time for sale, as Keith Ryan currently sells and has indicated to us.

That there be no further signs or billboards for advertising and that we understand the used car sales lot will be on Parcel #010-941-33-4203 and not the parcel where the large garage is located Parcel # 010-941-33-4212.

This conditional use permit can not be transferred to any other parties, as the property is currently listed for sale.

In short, we do not want our neighborhood to become a traditional used car lot that is paved with flood lighting and advertising.

Our neighborhood was built with the beauty of the golf course as it's backdrop. We do not want any more commercialism as it will drastically affect our land values.

Roger Domask and Ellen Domask
SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843
Phone: 715-634-4679
Email: ryansedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

Purpose of request is to have a Used Car Sales establishment.

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**Public Hearing on November 16, 2018 at Sawyer County Courthouse 8:30am.**

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I have no objections to this ( ) I have objections to this X

Additional Comments:

This is a residential area - we do not need any more commercial development - it detracts from the beauty of the area, increases traffic, not aesthetically beautiful.

It could decrease our property values.

______________________________
Linda Sutcliffe Sutcliffe
(Please Print and Sign; Only (1) signature required) * Linda Sutcliffe

You may scan and email to the above address.
Sawyer County Zoning and Conservation Administration
Sawyer County Courthouse
10610 Main Street, Suite #49 Hayward, Wisconsin 54843
(715) 634-8288
E-mail: zone.deputy@sawyercountygov.org

SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843
Phone: 715-634-4679
Email: ryansedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

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Public Hearing on November 15, 2018 at Sawyer County Courthouse 8:30am.

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I have no objections to this { } I have objections to this √

Additional Comments:

Although this is zoned commercial, it has been a motel like other motels on Hwy 27. If we would like to build an apartment, it will decrease our property value.

Thomas Dietl, TOCU LLC

(Please Print and Sign; Only (1) signature required) *TOCU LLC

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Sawyer County Zoning and Conservation Administration
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10610 Main Street, Suite #49 Hayward, Wisconsin 54843
(715) 634-8288
E-mail: zone.deputy@sawyercountygov.org

SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843
Phone: 715-634-4679
Email: ryanedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

Purpose of request is to have a Used Car Sales establishment.

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**Public Hearing on November 16, 2018 at Sawyer County Courthouse 8:30am.**

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I have no objections to this [ ] I have objections to this [ ]

Additional Comments:

I'm not sure if the fit of selling used cars at a motel. There is already a number of unlicensed vehicles, stacks of tires, and used auto parts on the property. This will without doubt become more prevalent in a used car dealer situation. This brings about the concern over problematic, automotive fluids, and moisturizing used tires. If you feel this would be an enhancement to the neighborhood, and approve this application, I would urge you to place at least the restrictions I have listed on the back of this page. My vote however would be to deny this application.

(Please Print and Sign; Only (1) signature required) *Wortmans Hayward LLC

You may scan and email to the above address. [Signature]

[Signature]
1) Limit the number of vehicles on the property that are owned by the Ryde's, but not personally registered to them to 4 or less.

2) Limit where the vehicles would be stored or displayed to only the commercially zoned portion of their property.

3) Require no outside storage of auto parts, tires, or barrels storing automotive fluids or chemicals.
Sawyer County Zoning and Conservation Administration
Sawyer County Courthouse
10610 Main Street, Suite #49 Hayward, Wisconsin 54843
(715) 634-8288
E-mail: zone.deputy@sawyardcountygov.org

SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
10081W Park Road
Hayward, WI 54843

Phone: 715-634-4679
Email: ryanisedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

Purpose of request is to have a Used Car Sales establishment.

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I have no objections to this  ( )  I have objections to this  X

Additional Comments:

See Attached Page

Debra Freeman
Pres.

(Please Print and Sign; Only (1) signature required) * Price Rite Inc

You may scan and email to the above address.
I object to the conditional use application # 18-022 for the following reasons:

1. Do not want to see all the vehicles all over. It is bad enough with U Hauls that they are renting out and vehicles that Mr. Ryan works on for other people are all over the place. Some time Mr. Ryan has 10 cars there at a time.

2. This is a residential area with children, younger and older residents that walk on the road, this will cause more vehicles to traveling down Park Road and Fairway Drive which could cause residents not to walk down the road or could cause accidents.

3. There is also the concern that all residents on Fairway Drive and Park Road have wells for water and there could be a chance of gas and other containments to leak into the ground water and containment their wells. Will the area that Mr. Ryan will use for the used car lot be black top or cement? Where will the used car lot be?

4. Mr. Ryan must feel that whether he gets his zoning application approved or not, he does what he wants. Example, in 2014 the rezoning of a residential property to commercial, the property that a joins Mr. Ryan's commercial property. Mr. Ryan was denied the change by the Town of Hayward and the County Board. Mr. Ryan was told by the County Board that he could only use the residential property with a garage for his personal use only. To this date Mr. Ryan still is using the garage, on the residential property for other than his personal use. At times Mr. Ryan has 6 or more vehicles on or around the residential property that he is working on for customers. Zoning and the Town of Hayward Police have been contacted many times and nothing has been done.

5. Since Mr. Ryan has not gone according to what the County Board, and Town of Hayward has said in the past, the Conditional Use Application should be denied.

[Signature]
Desa Freeman
Acting President
Sawyer County Zoning and Conservation Administration
Sawyer County Courthouse
10610 Main Street, Suite #49 Hayward, Wisconsin 54843
(715) 634-8288
E-mail: zone.deputy@sawyercountygov.org

SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843
Phone: 715-634-4679
Email: ryanedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-941-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

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I have no objections to this ( ) I have objections to this (V)

Additional Comments:

_We are strongly opposed to any zoning change especially as it relates to land along Fairway Dr. As this road runs thru our quiet residential neighborhood. This new business, if approved, could increase traffic on our road and adversely affect our property value. Right now there are various vehicles parked all over the property including tribal squad cars, wrecks, motor homes, boats creating an eyesore to the neighborhood. We ask that this application be denied for the sake of our neighborhood. Thank you!_

George L. McKee, Jr.

(Please Print and Sign; Only (1) signature required) *George and or Patricia McKee Jr.

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Sawyer County Courthouse
10610 Main Street, Suite #49 Hayward, Wisconsin 54843
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SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843

Phone: 715 634-4679
Email: ryanseidelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T41N, R09W; Parcel #010-941-33-1203; 3.69 Total Acres; Zoned Commercial One (C-1).

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I have no objections to this ( )

I have objections to this X

Additional Comments:

Our concern is that the USED CAR LOT will soon become a JUNK CAR LOT with old, rusted out cars sitting in tall grass, leaking oil for years to come. A real eyesore!

(Please Print and Sign; only (1) signature required) *Gregory and/or Robin Waterhouse

Gregory D. Waterhouse

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16081W Park Road
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Phone: 715-634-4679
Email: ryanisedelweiss@yahoo.com

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I have no objections to this ( )
I have objections to this (X)

Additional Comments:

(Please Print and sign; Only (1) signature required) *Dorothy Janczyk

You may scan and email to the above address.

* Please clear and other animals crossing the highway and roads,
SUBJECT: Conditional Use Application #18-022

Owner: Linda Ryan & Keith Ryan DBA Edelweiss Motel
16081W Park Road
Hayward, WI 54843

Phone: 715-634-4679
Email: ryanqedelweiss@yahoo.com

Property Description: Part of the NW1/4 of the SE1/4; S33, T412N, R09W; Parcel #010-041-33-4203; 3.69 Total Acres; Zoned Commercial One (C-1).

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I have no objections to this [ ]

I have objections to this [ ]

Additional Comments:

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

(Please Print and Sign; Only (1) signature required) * Richard and/or Judith Warburton

You may scan and email to the above address.