

MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEAL
January 19, 2021

Board of Appeals

Al Gerber, Chairman
Laura Rusk, Vice Chairman
Mark Olson
Steve Kelsey
Dee Dobilas
Gordon Christians
James Tiffany

Zoning Administration

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

PRELIMINARY MATTERS

- 1) Call to Order and Roll Call
Kozlowski called the Public Hearing before the Sawyer County Zoning Board of Appeals to order at 6:04 P.M. in the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll is called and finds present: Kelsey, Rusk, Olson and Dobilas virtual. Gerber is absent. Kozlowski and Brown from Zoning Department. Marks absent.
- 2) Statement of Board and Hearing Procedures.
Those wishing to speak will be afforded the opportunity provided they identify themselves. Kozlowski 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.

APPEAL

Withdrawn

- 1) A Hearing for the Town of Round Lake. Appeal #20-001. Owners: A&D Contracting & Development, LLC and SMM Properties, LLC. All in Part Government Lot Two (2), Lot 1 CSM 36/290 #8480 and Lot 2 CSM 36/290 #8480;

S30, T41N, R07W; Parcel #024-741-30-5239; Zoned Residential/Recreational One (RR-1); 3.06 Total Acres. Development of lands in the Town of Round Lake West of Sandy Beach Road. Appeal is for the Zoning Administrator's approval of Certified Survey Maps for the development of lots. The approval of the certified survey map in question is an appeal of Sawyer County Ordinances for the following reasons: 1) The certified survey map violates Section 4.0(1) of the Sawyer County Subdivision Control/Condominium Ordinance; and 2) The approval of the CSM is in violation of the Department of Natural Resources' determination with regard to wetlands present on or adjacent to the subject parcel. Kozlowski reads appeal application into record. He also reads signed email withdrawing the application by Dozier. Discussion by Board. Motion by Olson to approve the withdraw of Appeal case #20-001, second by Rusk. All in favor. Motion carried.

NEW BUSINESS

Reconsideration of the Betz variance. VAR #20-002, Mullen – Betz. A Reconsideration of Public Hearing for the Town of Round Lake. VAR #20-002, James Mullen & Barbara Betz. Part of Government Lot 5; S30, T41N, R05W; Parcel #024-541-30-5516; 1.54 Total Acres; Zoned Residential/Recreational One (RR-1). Previous VAR #20-002 was approved for a 10'x14' addition on November 17, 2020. Application is for a reconsideration of a 9' x 15'6" attached bathroom and screen porch addition onto an existing principal structure located 26' at the closest point to the OHWM of Moose Lake. The proposed expansion would be 50.5' to the OHWM. (See inspection report drawing). Variance requested as: Section 6.1, Sawyer County Zoning Shoreland-Wetland Protection Ordinance, would require the prior granting of a variance for any new structures located closer than 75' to the OHWM with no other exempt structures or reduced setback provisions. Kozlowski reads Town approval with no comment. Kozlowski reads email from Barbara Betz stating the there will be no screen porch. Kozlowski reads opinion letters. Olson discusses By-Laws regarding reconsideration of the case. Kozlowski explains his interpretation of the reconsideration in the By-Laws. Discussion continues with Board and Kozlowski. Olson motions to not hear the reconsideration, No second. Motion fails. Discussion continues with Board and Kozlowski. Motion by Rusk to deny the hearing of the reconsideration citing 10.4 Reconsideration on Board Motion – A decision of the Board may be reconsidered by motion to reconsider made at the same meeting which may be immediately disposed of with out further notice, of the By-Laws and 10.6 Procedures for Reconsideration – A simple majority vote shall be sufficient to reconsider a previous decision. If reconsideration is refused to an interested party who has requested reconsideration, the Board shall enter on the minutes the basis of the request, the reason why it was refused and the vote of the Board members thereon, of the By-Laws and refund of the filing fee to the property owners. Second by Olson. No discussion held. Vote 4 to 0. Motion carried.

- 1) Reconsideration for Big Fish VAR #20-004 regarding sign lighting. Kozlowski advises not to hear the reconsideration of VAR #20-004 until the 1- year timeline has passed. Rusk agrees.
- 2) Discussion held regarding the amending of the By-Laws held by Board and Kozlowski.

ADJOURNMENT

Motion to adjourn by Olson, second by Kelsey, all in favor. Motion carried.

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

For more information please see our website at sawyercountygov.org