

MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEAL
April 27, 2021

Board of Appeals

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

Zoning Administration

Jay Kozlowski, 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 is called finding present: Gerber, Rusk, Olson, and Christians. Kozlowski and Marks are present from the Zoning office.

2) Statement of Board and Hearing Procedures and Hearing Notice. 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) Minutes from previous meeting. Motion by Olson to approve the February 19, 2021, second by Rusk. All in favor.

Break at 6:13pm. Gerber calls meeting back to order at 6:20pm.

VARIANCE APPLICATIONS

A Public Hearing in the Town of Bass Lake. VAR #21-002. Owner: Charles & Tracey Gundersen. Part of government Lot 4; S28, T40N, R08W; Parcel #002-840-28-5403; Tax ID#2343; .430 Total Acres; Zoned Residential/Recreational One (RR-1). Application requested as: (ATF) After-the-fact construction of a 12'x15' addition onto an existing principal dwelling. When a permit was issued in 2005, LUP 05-092, it was indicated that a 12'x20' screen porch addition was to be added. The 12'x20' screen porch was permitted and built in that permit time frame but the 12'x15' addition behind the

screen porch was also constructed at that time and was not shown on the permit. The 12'x15' addition in question is located 4' from the side property line. Variance requested as: Section 18.4 Dimensional Requirements of the Sawyer County Zoning Ordinance would require the prior granting of a Variance for a principal structure to be less than 10' minimum on one side and 40' minimum overall side lot line setback. This proposed request would be for an A-T-F Variance for a 4' minimum side lot line setback on one side and 30' total side lot line setbacks. Kozlowski reads the application, Town denial letter, Neighbor opinion letters and summary of the Staff Report. Charles Gundersen, owner of the property speaks in favor of the application. He speaks of the three-step process and how long he has owned the property. Speaking in objection is Bond Sutton, Chairman of the Bass Lake Planning Committee. Discussion with Gundersen, Olson and Kozlowski. Michael Weinert, property owner speaks in objection of the case. Phil Nies, Town of Bass Lake speaks for Justin Hall, Chairman of the Town of Bass Lake in objection and concerns. Discussion held with Gundersen, Board, Kozlowski and audience. No other comments. Discussion held by Board. Motion by Olson to Deny the application, states that it does not meet the three step process. 1) Unnecessary Hardship – The hardship is self-created and the addition is a personal convenience to the owner and is the basis of economic gain. 2) Unique Property Limitation – Property is similar to the nearby properties with no unique property limitations which prevent compliance with the ordinance. There are alternate locations that exist on the property for expansion of structure that would not require a variance. 3) No Harm to Public Interest – Rights to others or property values – Granting would deprive neighbor of right to expected unoccupied space provided for in ordinance. The side yard setbacks are intended to provide unoccupied space for several reasons including to afford room for lawns and trees, promote rest and recreation, to enhance appearance of the neighborhood, and to provide access to light and air. With the neighbor building a new compliant structure, the unoccupied space is reduced to their detriment and the enhancement of the applicant. Second by Christians. No discussion. Vote finds all in favor 4 to 0. Findings of Fact are stated in the Motion by Olson.

NEW BUSINESS

1) Any other business that may come before the Committee for discussion. None

ADJOURNMENT

Motion to adjourn by Rusk, second by Olson, all in favor.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator.