

**MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEALS
June 15, 2021**

Board of Appeals

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

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 call finds present: Al Gerber, Laura Rusk, Mark Olson, Dee Dobilas, and Steve Kelsey. Kozlowski and Marks are present from the Zoning office.

2) Statement of Board and Hearing Procedures & Statement of 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 on June 2nd and 9th, 2021.

3) Approval of April 27, 2021 Minutes. Motion by Rusk to approve the April 27, 2021 minutes as presented. Second by Kelsey. All in favor.

VARIANCE APPLICATION

1) A Public Hearing for Town of Hunter. VAR 21-003. Owner: Ronald & Sara Burton. Part of the NW ¼ of the SW ¼; S25, T42N, R09W; Parcel #014-942-25-3202; .600 total Acres; Zoned Residential/Recreational One (RR-1). Application requested as: The construction of a 26' x 36' (29' x 39') with eaves accessory structure (garage). The proposed structure would be located 22.5' at the closest point from the centerline of Tanning Point Road (a private driveway easement). Structure to be less than 16' in height. The proposed structure would meet all other setbacks and is not eligible for reduced Town Road setbacks. Variance requested as: Section 4.21 (6), Sawyer County zoning Ordinance would require the prior granting of variance for any structure closed than 30' from the centerline of a private driveway easement that is 33' wide or less in width. Kozlowski reads the application, On-site inspection, Town approval and Neighbor opinion letters. Ronald Burton, owner speaks in favor of the application. Explains the need for

the garage and that he would remove the existing shed that is on the property. Discussion with Board and Kozlowski held. No other audience comments. Discussion held. Motion by Gerber to approve the application as presented with adding that the shed must be removed before construction starts and a 2-year limited to apply for a Land Use permit. Second by Dobilas. No discussion held. Application approved 4 to 1. Findings of Fact: 1) There is no change to the use of the property in the zone district. 2) It would not be damaging to the rights of others or surrounding property values. 3) It would not be the basis of economic gain or loss. 4) The property owner shows due diligence in protecting the surrounding area.

2) A Public Hearing for the Town of Ojibwa. VAR #21-004. Owner: Aaron Krueger. Part of Government Lot 3; S09, T38N, R06W; Parcel #020-638-09-5307; 1.10 total Acres; Zoned Residential One (R-1). Application requested as: The placement of an 11' x 24' accessory structure (shed). The proposed structure would be located 18' at the closest point of the right-of-way line of State Hwy 27/70 and 73' from the centerline of State Hwy 27/70. Structure to be less than 14' in height. Proposed structure would meet all other setbacks. This shed is currently being temporarily stored on the lot but would be relocated to a new area. Variance requested as: Section 4.21 (1), Sawyer County Zoning Ordinance would require the prior granting of a variance for any structure closer than 130' from the centerline of a Class A highway, or 66' from the right-of-way line. The right-of-way setback would be a greater requirement for the variance with a 55' wide right-of-way distance shown on the North side of the highway. Kozlowski reads the application, On-site inspection and Town approval. No Neighbor opinion letters were returned. Aaron Krueger speaks in favor of the application. Discussion held with Owner, Board & Kozlowski. No audience comments. Motion by Rusk to approve the application as presented with a buffer zone between the highway and shed. Second by Kelsey. All in favor 5 to 0. Findings of Fact: 1) It would not be damaging to the rights of others or property values. 2) Another permitted use is not possible on this property. 3) A minimal relaxation of the code is being granted.

NEW BUSINESS

1) Olson informed the Board that he wants to work with Kozlowski on updating the BOA By-Laws regarding Subdivision Ordinance for BOA to hear appeals on them. Kozlowski would like to go over the whole BOA By-Laws at one time for all the changes at once and start working on it in the fall.

2) Next meeting will be held on July 20, 2021 at 6pm.

3) Any other business that may come before the Board. None.

ADJOURNMENT

Motion made by Olson to adjourn, second by Kelsey. All in favor.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator