

**MINUTES OF PUBLIC HEARING  
Sawyer County Zoning Committee  
June 19, 2020**

**Zoning Committee Members**

Ronald Buckholtz, Chairman  
Bruce Paulsen, Vice Chairman  
Troy Morgan  
Dawn Petit  
Jesse Boettcher  
Tweed Shuman, Alternate

**Zoning Administration**

Jay Kozlowski, Zoning Administrator  
Kathy Marks, Deputy Zoning & Conservation Administrator

**PRELIMINARY MATTERS**

1) Call to Order and Roll Call

Buckholtz called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30 AM. In the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll was called finding present: Buckholtz, Paulsen, Morgan, .Shuman, Petit joins meeting virtually four minutes into the meeting. From the Zoning Office Kozlowski and Marks. Legal Counsel Rebecca Roeker.

2) Pledge of Allegiance. Statement of Hearing Notice.

3) Statement of Committee and Hearing Procedure and Statement of Hearing Notice.

Those persons wishing to speak will be afforded the opportunity provided they identify themselves. 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 the Sawyer County Gazette.

4) Approval of May 15, 2020 minutes. Motion to approve by Paulsen, second by Buckholtz. All in favor. Motion carried.

5) Public Comment. Linda Zillmer, Edgewater property owner speaks of the Ordinance, Public Notice and Publication. Campers, Decks, and Habitable space. Having impervious surface for accessory buildings.

**REZONE APPLICATION**

None

**CONDITIONAL USE APPLICATIONS**

1) A Public Hearing for CUP #20-008 in the Town of Winter. Owner: Patrick & Sally Murphy. Part of Government Lots 1 & 2; Lot 1 CSM 36/111 #8407; S31, T40N, R05W; Parcel #032-540-31-5228; 2.76 Total Acres; Zoned Residential One (R-1). Permit desired for an Accessory Building across a Town road as subject to section 4.26 (2), to build a cold storage pole shed 40' x 56'. Kozlowski reads the application, Staff report, Town opinion and Neighbor opinions. Motion by Paulsen to open the Public Hearing, second by Shuman. All in favor. Pat Murphy, owner speaks in favor of the application. Discussion with Committee held. Linda Zillmer, Edgewater property owner speaks for information only of adding the impervious surface add as a condition to the application. Also binding the two lots together, no habitable space and no future development.

No other comments. Motion to close the Public Hearing portion by Shuman, second by Paulsen. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Motion by Paulsen to approve the application with conditions that a Fire number be applied for before a Land Use Permit is obtained, No habitable area is allowed in the structure at this time, No commercial use or operation in this structure, Parcel would need to be combined with lot containing principal dwelling with restrictive covenants and not sold separately unless new principal dwelling was built on parcel – 5228, Size of proposed pole building not to exceed 40' x 56'. Second by Shuman. Roll call finds Morgan – yes, Petit – yes, Paulsen – yes, Shuman – yes and Buckholtz – yes. Finding of Fact: It would not be damaging to the rights of others or property values.

2) A Public Hearing for CUP #20-009 in the Town of Weirgor. Owner: Andrew Karstensen and Jennifer Stuber. Part of Government Lot 3, Lots 2 & 3 CSM 32/88 #7833; S03, T37N, T07W; Parcel #030-737-03-5311 & 030-737-03-5312; 2.89 Total Acres; Zoned Residential/Recreational Two (RR-2). Permit desired for a shed and possibly a garage before building a dwelling. Section 4.26 (1) in the Sawyer County Zoning Ordinance. This will be used to secure dry storage tools, materials and equipment while building the dwelling unit. Kozlowski reads the application, Staff report, Town Opinion and Neighbor opinions. Motion by Paulsen to open the Public Hearing portion of the application, second by Petit. All in favor. Andrew Karstensen, owner speaks in favor of the application. Discussion held. Linda Zillmer, Edgewater property owner has general comments regarding the size of lot and buildings. Suggests not to approve the garage. Kozlowski states that the application request meets the Zoning Ordinance requirements and meets all setbacks. Also that the publication did have the total acres listed and everything else is in the Staff report. No other comments. Motion by Shuman to close the Public Hearing portion, second by Paulsen. All in Favor. Kozlowski reads the Discussion/Action portion of the application. Discussion with Committee, Kozlowski and Karstensen. Only one accessory structure on vacant land allowed per 4.26(1). Motion by Paulsen to approve the application with only the shed and not to exceed 14' x 8', second by Shuman. Roll call finds Petit – yes, Morgan – yes, Shuman – yes, Paulsen – yes, Buckholtz – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It would not destroy prime agricultural lands. It would not create an objectionable view.

Buckholtz requests that Rebecca Roeker, legal counsel address the Public Notice issues Roeker states that the Public Notice has to follow the State Statues, reasonable information regarding what will be discussed on an agenda item. Roeker states hat in her opinion the legal notice met the legal standards.

### **PROPOSED ORDINANCE AMENDMENTS**

1) A Public Hearing for Sawyer County Zoning Ordinance Section 6.22(2) and 6.24(2) (e) non-metallic mineral extraction amendment.

Section 6.22(2) Change to read: The regular conditional use permit shall be granted for a period not to exceed five (5) years, but may be renewed or revised upon re-application for periods of ~~up to three (3)~~ five (5) years.

Section 6.24(2)(e) Change to read: The conditional use permit shall be in effect for a period specified by the Zoning Committee not to exceed five (5) years and may be renewed or revised

upon re-application for periods of ~~up to three (3)~~ five (5) years. (Discussion/Action to send to County Board)

Kozlowski explains the Amendment. Motion to open the public hearing by Buckholtz, second by Paulsen. All in favor. Discussion held with Committee, Kozlowski and Roeker. Roeker speaks of the notice of this item. Discussion held with Committee, Roeker and Kozlowski. Motion by Paulsen to proceed to consider the non-metallic mining resolution, second by Petit.

Linda Zillmer, Edgewater property owner speaks that the notice is clear, speaking as a member of the public. Concerns of inspections, also to keep the three-year renewal timeline. Rebecca Roeker, legal counsel speaks of Zillmer having an issue with the Public notices. Advises Committee to use reasonable test for the notice. It is the Committee policy and does not want the Committee or the County Board to think that they did something wrong. They did not. Phil Nies, Town of Bass Lake speaks that this has been going on for over a year and to get this done. He agrees with Paulsen to move on. Roeker says that the Public can speak of this item at the County Board meeting. Buckholtz says he will follow the Committee on what to do for the recommendation. Motion by Shuman to close the Public Hearing portion, second by Paulsen. All in favor. Motion by Paulsen to restate the motion of adequate notice and make a decision to proceed to hear this amendment at the County Board level. Second by Petit. Roll call finds: Morgan - no, Buckholtz – yes, Shuman – yes, Petit – yes, Paulsen – yes. Four to One in favor. Motion by Paulsen to approve the revised Non-metallic Mining Ordinance and send to County Board for consideration. Second by Petit. Roll Call finds: Shuman – yes, Paulsen – yes, Petit – yes, Morgan – yes, Buckholtz – yes. All in favor.

#### **NEW BUSINESS**

1) Citizen request by William Wallus for petition of Sawyer County Ordinance change to Section 6.611(5) increase deck/patio size within trailer camps and campgrounds. Kozlowski explains the request made for the changes wanted for the Ordinance change. William Wallus, owner of Bear Paw Resort Town of Edgewater speaks for the changes wanted to this Ordinance. Discussion held. Phil Nies, Town of Bass Lake speaks of the history of the section of Ordinance. Discussion continues. Joan Cervenka, Town of Hayward asks “Are decks allowed to be screened?” Kozlowski answered “No”. Committee decides that this will be on next month’s agenda for further discussion.

2) Bunkhouse Ordinance Amendment. Kozlowski refreshes Committee with new Draft #13. Discussion held regarding Uniform Dwelling Inspections, Fire numbers, and how to inform the public. Rebecca Roeker, legal counsel will help Kozlowski to prepare a redline copy of the Bunkhouse Ordinance for next month agenda.

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

#### **ADJOURNMENT**

Adjourned by Ronald Buckholtz, Chairman at 10:50am.

**/s/Ronald Buckholtz, Chairman  
Sawyer County Zoning Committee  
Sawyer County Zoning & Conservation Administration  
10610 Main Street, Suite #49  
Hayward, WI 54843**

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator