

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
September 18, 2020**

Zoning Committee Members

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

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 at the Sawyer County Courthouse, 10610 Main St., Hayward, Wisconsin. Roll is called finding present: Buckholtz, Paulsen, Morgan, Boettcher, Petit and Shuman. From the Zoning Office: Kozlowski and Marks. Rebecca Roeker of von Briesen and Roper, s.c. as legal counsel for Sawyer County. Buckholtz suggests a change of the agenda by moving Clifford Parr CUP #20-012 and CUP #20-016 to be heard after the first RZN #20-005. Motion by Paulsen to move the CUP's #20-012 and #20-016 to be heard after the first RZN #20-005 is heard, second by Boettcher. All in favor.

2) Pledge of Allegiance.

3) Statement of Committee and Hearing Procedure and 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.

5) Approval of August 21, 2020. Motion to approve by Paulsen, second by Boettcher. All in favor. Motion carried.

6) Public Comment. None

REZONE APPLICATIONS

A Public Hearing for RZN #20-005 in the Town of Winter. Owner: James Smiley & Tamika Hollinger. Part of the SE ¼ of the NE ¼; S14, T40N, R05W; Parcel #032-540-14-1401; 14.68 Total Acres; Zoned Commercial One (C-1). Purpose of request is to change zone district Commercial One (C-1) to Residential One (R-1) for private dwelling. Kozlowski reads the application, Town approval and Opinion letters. Motion to open the public hearing portion of the case by Paulsen, second by Shuman. All in favor. James Smiley, property owner speaks in favor of the application. No other comments. Motion to come out of public hearing by Paulsen, second by Shuman. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion

by Paulsen to approve the application, second by Boettcher. No discussion. Roll call finds: Morgan – yes, Shuman – yes, Paulsen – yes, Buckholtz – yes, Boettcher – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It is consistent with the zone districts of the surrounding area.

CONDITIONAL USE APPLICATIONS

1) A Public Hearing for CUP #20-012 in the Town of Weirgor. Owner: Clifford Parr. Part of the SE ¼ of the NE ¼ Lot 21 CSM 6/248 #1250; S26, T37N, R07W; Parcel #030-737-26-1307; 1.95 Total Acres; Zoned Residential/Recreational One (RR-1). Purpose of request is to build a 40' x 100' or a 50' x 80' accessory building for building cabinets and woodworking. Per section 4.26 (2) The construction of a single accessory structure on an adjacent parcel divided by a Public Roadway (Sachmerda Drive) a Town Road, that does not contain the principal structure. Kozlowski reads the application, Town approval and opinion letter. Motion by Paulsen to open the public hearing portion of the application, second by Petit. All in favor. Clifford Parr, Owner speaks in favor of the application. Discussion held with Committee. No audience comment. Motion to close the public hearing by Paulsen, second by Boettcher. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion to approve the application by Boettcher, second by Petit. No discussion. Roll call finds: Buckholtz –yes, Petit – yes, Paulsen – yes, Morgan – yes, Boettcher – yes and Shuman – yes. All in favor. Findings of Fact: It would not be damaging to the rights of others or property values. It would not be detrimental to ecology, wild life, wetlands or shorelands. It would not create an objectionable view. It would not create an air quality, water supply, or pollution problem. It would not create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal. It would not create traffic or highway access problems. It would not destroy prime agricultural lands. It would be compatible with the surrounding uses and the area.

2) A Public Hearing for CUP #20-016 in the Town of Weirgor. Owner: Clifford Parr. Part of the SE ¼ of the NE ¼ Lot 21 CSM 6/248 #1250; S26, T37N, R07W; Parcel #030-737-26-1307; 1.95 Total Acres; Zoned Residential/Recreational One (RR-1). Purpose of request is to build cabinets and do woodworking. Sawyer County Ordinance Section 17.2 (B) (5) private or wholesale carpentry or woodworking shop limited to the property owner. Kozlowski reads the application, Town approval, and opinion letter. Motion to open the public hearing portion of the application by Petit, second by Paulsen. All in favor. Clifford Parr, owner speaks in favor of the application. Discussion held. No other comment. Motion by Paulsen to close the public hearing, second by Buckholtz. Discussion held. All in favor. Motion by Paulsen to approve the application with conditions of: 1) CUP #20-016 is limited to the property owner. 2) CUP #20-012 be approved for the placement of the building. 3) Size of building not to exceed 4000 sq. ft. in total. 4) All materials to be stored inside the building. 5) Hours of operation from 6am to 6pm, Monday – Saturday. 6) All Town, County, State and Federal Laws followed. Second by Buckholtz. Discussion by Committee held. Roll Call finds Morgan – yes, Paulsen – yes, Shuman – yes, Buckholtz – yes, Boettcher – yes, Petit – yes. Findings of Fact: It would not be damaging to the rights of others or property values.

REZONES

A Public Hearing for RZN #20-006 in the Town of Bass Lake. Owner: Hayward Nat'l Golf Club Inc – James Massey. Part N ½ S4 Part Lot 1 CSM 16-41 #4022; S04, T40N, R09W; Parcel #002-940-04-2108; 73.18 Total Acres; Zoned Agricultural One (A-1) and Commercial One (C-1). Purpose of request is to Rezone Agricultural One (A-1) to Residential/Recreational Two (RR-2) then to apply

for a Conditional Use application for a 197 RV site Campground. Excepting the Commercial One (C-1) out of the Rezone leaving 64.52 Total Acres to be Rezoned. Kozlowski reads the application. Paulsen asks if this not going through and then why do we have to hold a public meeting. Roeker explains that the application request has not been withdrawn. Discussion continues. James Massey, owner states he would be fine with postponing the application until January 2021. Discussion continues. Motion by Paulsen to accept the postponement of RZN #20-006 and #20-007 applications until January 2021. Second by Buckholtz. Roll call finds Morgan – yes, Buckholtz – yes, Shuman – yes, Petit – yes, Boettcher – yes, Paulsen – yes. All in favor.

3) A Public Hearing for RZN #20-007 in the Town of Hayward. Owner: Hayward Nat'l Golf Club Inc – James Massey. Part of the NE ¼ of the SE ¼, NW ¼ of the SE ¼, SW ¼ of the SE ¼ and the SE ¼ of the SE ¼; Part Lot 1 CSM 16/41 #4022; S33, T 41N, R09W; Parcel #010-941-33-4107; 87.89 Total Acres; Zoned Agricultural One (A-1). Purpose of request is to Rezone from Agricultural One (A-1) to Residential/Recreational Two (RR-2) then to apply for a Conditional Use application for a 197 RV site Campground.

CONDITIONAL USES

3) A Public Hearing for CUP #20-013 in the Town of Bass Lake. Owner: Hayward Nat'l Golf Club Inc – James Massey. Part E ½ of the NW ¼ Lot 1 CSM 21/317 #6082; S04, T40N, R09W; Parcel #002-940-04-213; 1.10 Total Acres; Zoned Commercial One (C-1). Also Part N ½ S4 Part Lot 1 CSM 16-41 #4022; S04, T40N, R09W; Parcel #002-940-04-2108; 73.18 Total Acres; Zoned Agricultural One (A-1) and Commercial One (C-1). Purpose of request is to have a 197 RV site Campground. RZN #20-006 to change (A-1) Agricultural One to (RR-2) Residential/Recreational Two, excepting the area Zoned Commercial One (C-1). Jay explains that the Owner has requested that CUP #20-013 and #20-014 be postponed until January 2021. Motion by Paulsen to approve the postponement of CUP #20-013 and #20-014 until January 2021, second by Petit. Roll call finds Paulsen – yes, Petit – yes, Shuman – yes, Buckholtz – yes, Boettcher – yes and Morgan – yes. All in favor.

4) A Public Hearing for CUP#20-014 in the Town of Hayward. Owner: Hayward Nat'l Golf Club Inc – James Massey. Part of the NE ¼ of the SE ¼, NW ¼ of the SE ¼, SW ¼ of the SE ¼ and the SE ¼ of the SE ¼; Part Lot 1 CSM 16/41 #4022; S33, T 41N, R09W; Parcel #010-941-33-4107; 87.89 Total Acres; Zoned Agricultural One (A-1). Purpose of request is to have a 197 RV site Campground combined between the three conditional Use Applications (CUP #20-013, CUP #20-014, and CUP #20-015). RZN #20-007 to change Agricultural One (A-1) to Residential/Recreational Two (RR-2).

5) A Public Hearing for CUP #20-015 in the Town of Bass Lake. Owner: Robert Gersbach. Part W ½ of the NW ¼; S04, T40N, R09W; Parcel #002-940-04-2201; 16.55 Total Acres; Zoned Residential/Recreational Two (RR-2) and Part W ½ of the NW ¼; S04, T40N, R09W; Parcel #002-940-04-2208; .810 Total Acres; Zoned Residential/Recreational Tow (RR-2). Purpose of request is to have a 197 RV site Campground combined between the three conditional Use Applications (CUP #20-013, CUP # 20-014, and CUP #20-015). Jay reads withdraw letter for this application. Motion by Paulsen to accept the withdraw of CUP #20-015, second by Petit. No Discussion. Roll call finds Shuman – yes, Boettcher – yes, Morgan – yes, Petit – yes, Paulsen – yes, Buckholtz –yes. All in favor. Guy Houston, Sawyer County resident questions the withdraw and postponement. Roeker explains that it is her understanding that changes may have to be made

to the postponed applications. Linda Zillmer, Edgewater property owner asks of the process and if the applicant will have additional fees for publications and if Towns will hear the case again and opinion letters sent out to neighbors. Roeker says as of now, we don't know the changes or if there they will move forward on these cases. Kozlowski says that it would be handled internally.

Buckholtz apologizes to the audience for wasting their time to attend and not being able to speak on what they believe. Matt Marienfeld, Sawyer County resident addresses the Committee. "Thanks them for their thoughtful and measured responses, actually listening and really looking at the work and that isn't something we've seen up to this point, it's appreciated."

NEW BUSINESS

1) Trailer Camps and Campgrounds. (Deck Size) Discussion/Possible Action to send to Towns. Kozlowski explains that the Committee had tabled the deck size requirements. The deck size has been changed from 200 sq. ft. to 300 sq. ft. for open detached accessory structures. He explains the other changes that he had made. Discussion held with Committee. Motion by Paulsen to table until we look over the whole section of 6.611 Ordinance, second by Buckholtz. All in favor. Joan Barton, resident of Wisconsin Rapids, WI speaks of the 6.6 concerns and to leave it to the campground owner. John Barton, resident of Wisconsin Rapids, WI speaks of having more choices. Alan Burt, resident of Chippewa Falls, WI. Speaks of safety issues. Doug Kurtzweil, Sawyer County Resident agrees with Paulsen's motion and the need to look at the whole Ordinance. Linda Zillmer, Birchwood resident supports Paulsen's motion. Discussion by Committee. Phil Nies, Bass Lake resident urged the Committee to not piece this and to do the whole Ordinance. All in favor. Roeker states that she and Kozlowski will work through the Ordinance changes.

2) Temporary guest quarters Bunkhouse Ordinance. Discussion/Possible Action to send to Towns. Kozlowski explains that version 14 has some changes and if it should be sent to the Towns for approval. Discussion by Committee. Doug Kurtzweil, Sawyer County resident gives history and concerns. Discussion continues. Motion by Paulsen to send this change to the Towns with addition of the recommendations. Second by Morgan. All in favor.

3) Policy decision for rentals of multiple existing non-conforming habitable dwelling on one parcel. Discussion/Possible Action. Kozlowski explains of the no rentals in the Ordinance. Discussion by Committee. Douglas Kurtzweil, Sawyer County Resident voices his concerns. Discussion continues with Kozlowski. Roeker speaks of the State Statues, Definitions in the Ordinance, and regulations. Discussion continues. Roeker states that you (Kozlowski) as the director of Zoning does not need the authority of the Zoning Committee to set policy. Question, is the policy classified as Ordinance or as a policy. You do not need a motion or approval from the Committee for office policy. Recommendation of existing non-conforming dwelling units can be rented as long as they were existing non-conforming dwelling. Roeker comments on policy versus ordinance. Kozlowski as director does not need committee approval for a policy. If it is an Ordinance, Yes, he would need approval from the Committee. Discussion continues. Kozlowski will draft policy and send to the Chairman for approval. Discussion continues.

4) Other matters. Paulsen compliments Kozlowski and staff. "That they are under a lot of pressure and believes they are doing an excellent job and if anybody and I know zoning can be contentious with the public. Any member of the public mistreats you, you folks I would say you've got our support and would like to know about that." Thank you. Discussion continues.

Paulsen asks that a campground on Kadlec Road be added to the November agenda. Discussion with Kozlowski. Next month back with a resolution to assume county administration for the uniform dwelling code inspection process. Campground policy or at least have further discussion in November. Discussion continues. Roeker will help Kozlowski with the resolution. Linda Zillmer requests that further discussion be held regarding the campground.

5) Other business. None

ADJOURNMENT

Buckholtz adjourns meeting at 10:35am.

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.

*****For more information please contact the Zoning office*****

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator