



Sawyer County

Agenda

Zoning Board of Appeals Meeting
Tuesday, April 27, 2021 @ 6:30 PM
Large Courtroom; Sawyer County Courthouse

Page

1.

The public is strongly encouraged to access the public hearing remotely due to public health and safety concerns. To view or participate in the **virtual meeting** from a computer, iPad, or Android device please go to <https://zoom.us/j/91511740175>. You can also use the dial in number for listening only at [1-312-626-6799](tel:1-312-626-6799) with the Webinar ID: 915.1174.0175. If additional assistance is needed please contact the Zoning & Conservation Department at 715-634-8288 prior to the meeting.

2. PRELIMINARY MATTERS

- a. Call to Order and Roll Call
- b. State of Committee and Hearing Procedure and Statement of Hearing Notice
- c. Approval of February 16, 2021 minutes
[2-16-2021 BOA Minutes](#)

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3. VARIANCE APPLICATIONS

- a. 1) 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

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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. Discussion/Action.

[CUP #21-002, Chuck & Tracy Gundersen pkt.](#)

4. APPEALS

- a. None

5. NEW BUSINESS

- a. 1) Any other business that may come before the Board for discussion.

6. ADJOURNMENT

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.

**MINUTES
PUBLIC HEARING BEFORE THE
SAWYER COUNTY BOARD OF APPEAL
February 16, 2021**

Board of Appeals

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

Zoning Administration

Jay Kozlowski, Zoning and 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: Kozlowski and Marks from the Zoning Office. Gerber and Kelsey present. Rusk and Olson virtual.
- 2) Statement of Board and Hearing Procedures.
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.
- 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.
- 4) Minutes from January 19, 2021. Motion by Rusk to approve the January 19, 2021 minutes, second by Olson. All in favor.

VARIANCE APPLICATIONS

- 1) A Public Hearing in the Town of Sand Lake VAR #21-001. Owner: Hathaway Lodge LLC. Part of Government Lot 2, Lot 1, CSM 34/51 #8093; S18, T38N, R09W; Parcel #026-938-18-5211; Zoned Residential/Recreational One (RR-1); 1.21 Total Acres. Application for: The construction of a single story 25'x29' (with eaves) detached accessory structure (garage) which is located 33' to centerline of a 66' private easement road and 5', at the closest rear property line (west). Height of the proposed structure would be 16' from grade to peak. All other setbacks would be met. Variance requested as: Section 4.21 (3) Sawyer County Zoning Ordinance, Setback Requirements on Highways and Roads would require the prior

granting of a variance for accessory structures less than the required 63' from the centerline of a private driveway easement that is 66' in width. Additionally, Section 18.4 (a) Sawyer County Zoning Ordinance, Dimensional requirements would require the prior granting of a variance for structures less than 40' rear lot line setback. Kozlowski reads the application, Town opinion, Neighbor opinions and staff report. Motion by Olson to open the Public Hearing portion of the application, second by Rusk. All in favor. Steven Friendshuh, owner of Hathaway Lodge LLC speaks in favor of the application. Hal Gekler future owner speaks in favor of the application. No other audience comments. Motion to close the public hearing portion of the application by Kelsey, second by Rusk. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion by Committee is held. Motion by Olson to approve the application as presented with conditions of 16' height and a single-story garage. Rusk seconds the motion. Discussion continues. Motion carried 4 to 0. All in favor. Findings of Fact: The application meets the three step requirements. 1) Unnecessary hardship is present. 2) The hardship is due to physical limitations of the property. 3) The variance will not be contrary to the public interest and will observe the purpose of the ordinance and do justice.

NEW BUSINESS

- 1) Board of Appeals By-Laws Amendment. Kozlowski explains proposed changes in the By-Laws for Reconsideration/Rehearing cases. Discussion is held. Conclusion is to leave the By-Laws as is.
- 2) Any other business that may come before the Committee for discussion. Gerber questions new process of the agenda. Kozlowski explains that Legal Counsel suggested Motions to Open and Close the Public Hearing portion, then go into the Discussion/Action portion of the application. Kozlowski will check with Legal Counsel to just add the Discussion/Action at the end of the Public Hearing of the application. Discussion continues. The Board would like to be informed before changes take effect and be able to discuss the changes. Kozlowski will bring back what Legal Counsel suggests.

ADJOURNMENT

Motion to adjourn by Olson at 7:12pm, second by Rusk. All in favor.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator



Sawyer County Zoning & Conservation Department

10610 Main Street, Suite 49

Hayward, WI 54843

jay.kozlowski@sawyercountygov.org

Fax (715) 638-3277

(715) 634-8288

VARIANCE REQUEST STAFF REPORT

Applicant:

Charles & Tracy Gundersen
7989N Bay Shore Lane
Hayward, WI 54843

Property Location:

Prt Govt Lot 4, S28, T40N, R08W
Parcel # 002-840-28-5403
Site Address: 7989N Bay Shore Lane

Summary of Request:

The applicant(s) are requesting a variance for the after-the-fact (A-T-F) construction of a 12'x15' addition onto an existing principal dwelling. 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

Project History:

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 timeframe 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. In conversations with the applicant they had stated that they thought the previous Zoning Administrator at the time, Mr. Christman had been out to the site and approved the other addition. At this time the Zoning Department can not find any documentation supporting that claim. It was also stated in conversations with the applicant that this was an honest mistake and it wasn't until recently when the adjacent property owner had done a survey that it was found out that the other addition was encroaching the side lot line setbacks.

On-site Notes/Comments:

See attached inspection report completed by Jay Kozlowski.

As part of the onsite visit on 02/11/21 Jay Kozlowski measured out the setback distances are verified that the addition portion not shown on LUP 05-092 was encroaching upon the side lot line. The addition in question would meet all other setbacks and impervious surface requirements less than what is seeking the variance.

The Town of Bass Lake Planning Commission and Town Board have both denied the request.

If the request is denied by the Sawyer County Board of Appeals it will trigger the Sawyer County Zoning and Conservation Department to start an order for correction time frame for removal of the 12'x15' addition. If the applicant does not remove said addition by the specific time frame (TBD) it will result in citations with daily forfeiture unless other appeal processes are filed.

It should be noted that WI State Statutes 59.692(1T) states, "A county or the department may not commence an enforcement action against a person who owns a building or structure that is in violation of a shoreland zoning standard or an ordinance enacted under this section if the building or structure has been in place for more than 10 years." With that being said the addition in question is not a violation of a shoreland zoning standard but a general zoning standard for side lot line setbacks. In other words, if the addition was 65' from the lake but met the side lot line setbacks Sawyer County Zoning could not take enforcement against this in that it has been in existence now for 15+ years but there is no other "statute of limitations" as set forth for other general zoning. This would most likely be something that would ultimately be determined by the Courts.

From the Zoning Administrator's stand-point I would believe that there are other structures that are within the County that would be illegal structures based on side lot line setbacks. The side lot line requirements came about in 1986 in the Sawyer County Zoning Ordinance for "dimensional requirements" and structures built after that time that are within the required setbacks would be subject to the same type of A-T-F variances. With the advancement in survey technology and the adjacent property owner bringing this encroachment scenario to the attention of the Zoning Department is the main reason that the variance application has been brought forward. The Zoning Department would not have the staff to actively engage in these types of encroachments unless a complaint is received by the Department. It should also be mentioned that regardless of the decision for the BOA that it would not be precedent setting in that each scenario and unique facts of the case should be looked at.

Hardship/Justification:

Variances seek a relaxation of a standard in the code. The decision to grant a variance must be supported by practical justification, which includes 1.) That the code is unnecessarily burdensome and the landowner is not able to enact a permitted use without a relaxation of the standard; 2.) There are unique limitations on the property that prevent the landowner from meeting the required dimensional standard; and 3.) if the variance is granted, no harm will be done to the public interest or the zoning code. It is the applicants' responsibility to present the case and provide the "burden of proof" as to why the variance should be granted. The personal situation of the applicant, financial hardship, convenience, a growing family, or nearby violations cannot be considered as valid reasons to grant a variance.

Board Decision Checklist:

(Approval Reasons): An unnecessary hardship is present and the current code requirements would be unnecessarily burdensome and prevent the applicant from using the property for a permitted use because:

(Board of Appeals to choose specific conditions unique to property. May add or delete to this list):

1. No other alternatives exist.
2. The impacts of construction are being minimized by mitigation.
3. A minimal relaxation of code is being granted.
4. A permitted use is not possible on this property without a variance approval.
5. The circumstances are beyond the control of the applicant, and are unique to the property not the applicant.
6. The lot predates zoning regulations.
7. The construction matches the lot and available area.

The hardship/unreasonably burdensome limitation of setbacks is due to unique physical features or limitations of the property and not the circumstances of the applicant as follows: (Board of Appeals to choose specific conditions unique to property. May add or delete to this list):

1. Very little or no buildable area exists.
2. The buildable area lot is very narrow.
3. The lot depth is very shallow.
4. Steep slopes exist.
5. The setbacks overlap here.
6. There is no other room for a septic system.
7. Overall small lot size.
8. Erosion exists.

The variance will not harm the public interest or neighboring land uses, and damage the intent of the zoning code because: (Board of Appeals to choose specific conditions unique to property. May add or delete to this list):

1. Visibility is good at the driveway location.
2. Traffic is light.
3. The septic will be upgraded.
4. Traffic is slowed here.
5. A turnaround is proposed.
6. This would make a bad situation better.

7. Good vegetation exists or is proposed.
8. The proposed use will not harm the public, zoning code, or neighboring land uses if conditions are followed.
9. A literal enforcement of the zoning code would be unnecessarily burdensome.
10. The testimony in opposition has been considered but no valid reasons could be found to deny.

(Approval Conditions): Therefore, the requested variance is hereby **approved** with the following conditions: **(add or delete as needed):**

1. The development must be in substantial compliance with the site plan and testimony provided at the public hearing.
2. The first floor elevation and filling and grading shall be done in accordance with the site plan and additional information provided at the public hearing.
3. The non-conforming _____ must be removed within ____ days from the time the Land Use Permit is submitted.
4. All other required setbacks must be complied with.
5. All permits must be obtained, including land use, building, and sanitary.
6. All code requirements must be complied with.
7. It is the responsibility of the builder and landowner to protect the neighboring lots, lake, and road during construction.
8. Standard or Individual (pick one) erosion control and/or stormwater management plans (again either or both can be picked) must be in place prior to construction starting.
9. The driveway shall meet all code specifications and shall provide suitable turnaround to prevent backing onto the road.
10. The applicant will allow agents of Sawyer County access to the property to ensure compliance with the terms of this decision, Sawyer County codes, and state and federal Laws.
11. The Board agrees with the concerns of DNR but on-site observations and conditions of approval should mitigate those.

(Denial Reasons): Unnecessary **hardship is not present** and the code requirements are not unnecessarily burdensome and **will not prevent the owner from using the property for a permitted use because (Board of Appeals to choose specific conditions unique to property) :**

1. The land owner has reasonable use already.
2. Cumulative impacts can be foreseen.
3. A self-imposed hardship cannot be grounds for an approval.
4. The Board concurs with the concerns expressed by _____.
5. Other alternatives exist such as building in another location or building a smaller structure.
6. A loss of profit or inconvenience is not a hardship.

The hardship is not due to unique physical features or limitations of the property and appear to be unique to the applicant as follows (Board of Appeals to choose specific conditions unique to property):

1. There are many other similar lots in area.
2. The code requirements are not unnecessarily burdensome and should be adhered to.
3. The hardship is unique to the property owner.
4. This is a self-imposed hardship.
5. No hardship noted.
6. A loss of profit is not a hardship.

7. No unique lot features were noted by the Board.

The variance will harm the public interest or neighboring land uses, and damage the intent of the zoning code because **(Board of Appeals to choose specific conditions unique to property):**

1. An approval would set a precedent.
2. Public safety could be compromised.
3. This would make a bad situation worse.
4. An increase in water runoff and erosion is anticipated.
5. Harm to water quality is anticipated.
6. The proposal appears to be for convenience to the landowner only.
7. An approval would undermine the code and harm the neighboring properties and public interest at large.
8. The landowner should pursue other locations or building plans.

(Denial Conditions): Therefore, the requested variance is hereby **denied** with the following conditions **(Board of Appeals to choose specific conditions unique to property):**

1. The _____ must be removed within _____ days
2. The applicant will allow agents of Sawyer County access to the property to ensure compliance with the terms of this decision, Sawyer County Codes, and State and Federal Laws.

(Tabled): The requested variance is **tabled** to the () business meeting or () public hearing scheduled for _____, 2020.

1. This will allow the applicant to complete the following:
2. The applicant is instructed to contact the _____ to attempt a resolution.
3. A plat of survey or Certified Survey Map must be made to accurately locate lot lines, buildings, and ROW's.
4. A better site plan with elevations drawings is necessary.
5. An erosion control and stormwater management plan is required, and must be approved by ZAC to address those issues.



Variance Application Request

Property Owner: Charles & Tracy Gundersen

Address: 7989N Bay Shore Lane

Phone: 952-201-5048

Email: gundersencontracting@gmail.com

Property Description: Part Govt Lot 4, Sec28 T40N R08W, Parcel # 002-840-28-5403

Acreage: 0.43

Zoned: Residential/Recreational One (RR-1)

Application requested:

The after-the-fact (A-T-F) 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 timeframe 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.

Property Owner(s) Signature

Print & Sign

Charles Gundersen

Print & Sign

Tracy Gundersen

Agent Signature(s), address, phone &

Email:

Date of Meeting

4/20/2021

Fee: \$500.00

The above person(s) hereby make application for a variance. The above certify that the listed information and intentions are true and correct. The above person hereby gives permission for access to the property for onsite inspection.
(January 2021) \$500.00

**Sawyer County Zoning Administration
Inspection Report**

Owner(s) Charles & Tracy Gundersen
 Address 7989N Bay Shore Lane Hayward, WI 54843
 Agent/Purchaser _____
 Address _____
 Bldr/Plber/CST _____
 Address _____

Inspection ☒ Private ☐ Public Violation ☒ Zoning ☐ Sanitation
☐ Dwelling ☐ Mobile Home ☐ Commercial ☐ Garage ☒ Addition
☐ Setback - Lake ☐ Setback - Road ☒ Setback - Lot Line ☐ Soils Verification
☒ onsite inspection report for ATF variance

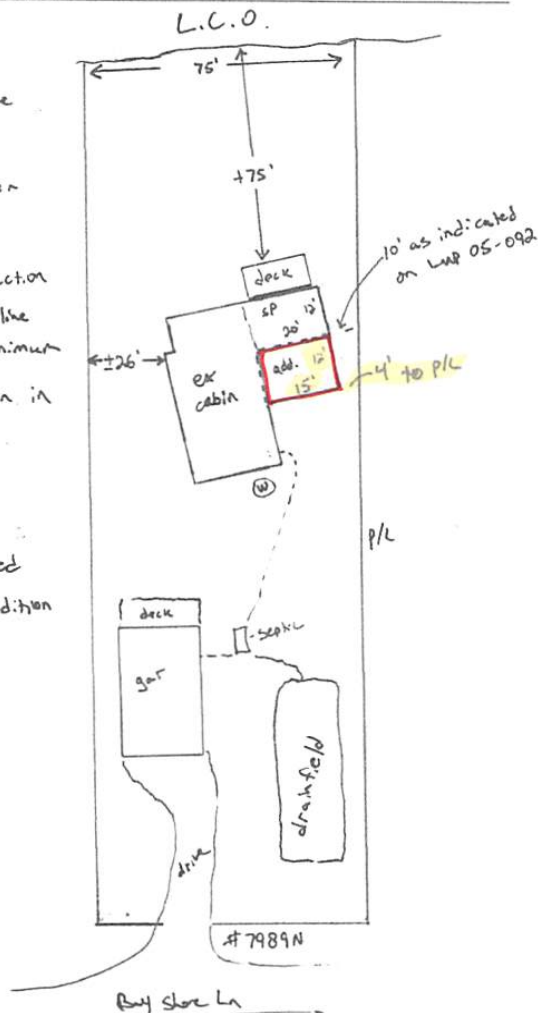
QCD#368732 0.43 Acres RR-1 #7989N Bay Shore Lane



Variance required for the after-the-fact construction of a 12'x15' addition onto an existing principal structure.

The after the fact construction has resulted in a side lot line setback less than the minimum required 10' one side 40' min in total

Impervious surfaces calculated at ~14.8% with A-T-F addition including driveway



Discussed with Chuck Gundersen & Jay Kozlowski

Date & Time 02/11/21 10:00 AM

Signature of Inspector Jay Kozlowski

Owner(s) GUNDERSEN, CHARLES & TRACY Town of BASS LAKE Govt Lot PRT 4 1/4 1/4 S 28 T 40 N R 08 W
 Lot(s) _____ Blk(s) _____ Subdivision _____ Computer # 002-840-28-5403 Parcel(s) .43

Real Estate Sawyer County Property Listing

Today's Date: 2/24/2021

Property Status: Current

Created On: 2/6/2007 7:55:05 AM

 Description

Updated: 8/17/2011

Tax ID:	2343
PIN:	57-002-2-40-08-28-5 05-004-000030
Legacy PIN:	002840285403
Map ID:	:4.3
Municipality:	(002) TOWN OF BASS LAKE
STR:	S28 T40N R08W
Description:	PRT GOVT LOT 4
Recorded Acres:	0.430
Calculated Acres:	0.438
Lottery Claims:	1
First Dollar:	Yes
Waterbody:	Lac Courte Oreilles
Zoning:	(RR1) Residential/Recreational One
ESN:	445

 Tax Districts

Updated: 2/6/2007

1	State of Wisconsin
57	Sawyer County
002	Town of Bass Lake
572478	Hayward Community School District
001700	Technical College

 Recorded Documents

Updated: 9/29/2010

QUIT CLAIM DEED	
Date Recorded: 9/22/2010	368732
SHERIFFS DEED	
Date Recorded: 9/17/2010	368647

 Ownership

Updated: 8/17/2011

CHARLES J & TRACEY A GUNDERSEN HAYWARD WI**Billing Address:**

**CHARLES J & TRACEY A
GUNDERSEN**
7989N BAY SHORE LN
HAYWARD WI 54843

Mailing Address:

**CHARLES J & TRACEY A
GUNDERSEN**
7989N BAY SHORE LN
HAYWARD WI 54843

**Site Address** * indicates Private Road

7989N BAY SHORE LN * HAYWARD 54843

**Property Assessment**

Updated: 9/13/2012

2021 Assessment Detail

Code	Acres	Land	Imp.
G1-RESIDENTIAL	0.430	131,600	115,900

2-Year Comparison

	2020	2021	Change
Land:	131,600	131,600	0.0%
Improved:	115,900	115,900	0.0%
Total:	247,500	247,500	0.0%

**Property History**

N/A



APPLICATION FOR VARIANCE
SAWYER COUNTY BOARD OF APPEALS
ADDITIONAL INFORMATION
(To be completed by applicant)

Completed by Charles J. Gundersen
(First Name) (MI) (Last Name)

The purpose of this form is to provide you with information that pertains to the granting of "area/dimensional" variances and to assist you in preparing for your presentation before the Sawyer County Board of Appeals. Use additional paper for responses if required. Example responses are not related to any variance ever reviewed by the Board of Appeals. **This form will become a part of your application packet and is to be returned to the Zoning Department by the variance application deadline.**

Part 1. Applicant supplied information.

Current use of your property & improvements - (e.g., "Property contains a residential home with a detached garage.").

Property contains a residential home with a detached garage.

Describe the variance requested - (e.g., "Add a 15' x 20' addition to the side of the home.").

After-the-fact approval of a 12'x15' addition which was completed in 2005

Describe the effects on the property if the variance is not granted - (e.g., "The addition is required for year-round living and protecting property value.").

The addition is necessary for the function and value of the home. It is our bedroom and the only room in the house of sufficient size to accommodate a useful bedroom in a permanent residence.

Describe alternatives to the requested variance such as other locations, designs and construction techniques. Attach a site map showing alternatives that you considered in each category below.

- a) Alternatives you considered that will comply with existing standards. If you find such an alternative, you may move forward with this option with a regular permit. If you rejected compliant alternatives, provide the reasons that you rejected them.
(e.g., "Space is not available to expand in any other direction or location. House is too close to the side lot lines and the lake.")

N/A - This structure is already built.

- b) Alternatives you considered that require a lesser variance and reasons you rejected them.
(e.g., "Addition is the minimum size that is required.").

Describe the impact on your property and adjacent properties if the variance is granted.

(e.g., "Erosion during construction – will be controlled with silt fencing. After construction there will be a greater impervious surface area. Gutters and downspouts will be used to divert water away from other properties and the lake. Shoreline buffer zone will be planted with native vegetation, trees and shrubs.").

*There will be no impact on our property or adjacent properties.
No additional construction will take place.*

Part 2: Three-Step Test.

To qualify for your requested variance, you must demonstrate that your property meets the following three requirements. ***This is known as the "three-step test."***

1) Unique Property Limitations.

Unique physical limitations of the property such as steep slopes or wetlands that are not generally shared by other properties must prevent compliance with ordinance requirements. The circumstances of an applicant (growing family, need for a larger garage etc.) are not a factor in deciding variances. Nearby ordinance violations, prior variances or lack of objections from neighbors or the Town Board do not provide a basis for granting a variance.

Do unique physical characteristics of your property prevent compliance with the ordinance?

☒ Yes. Where are they located on your property? Please show the boundaries of these features on the site map that you used to describe alternatives considered.

(e.g., "There is a wetland area that extends around one side of the house and also behind the house.").

*The property line was misjudged at the time of construction.
All affected property owners agreed to the structure, and had no issue with it for 15 years.*

☐ No. A variance cannot be granted.

2) No Harm to Public Interests.

A variance may not be granted which results in harm to public interests. In applying this test, the Board of Appeals must consider impacts of your proposal and the cumulative impacts of similar projects on the interests of the neighbors and the entire community. Some, but not necessarily all of these considerations are: (1) Public health, safety and welfare, (2) water quality, (3) fish and wildlife habitat, (4) natural scenic beauty, (5) minimization of property damages and (6) achievement of eventual compliance for nonconforming uses, structures and lots.

Explain how the granting of this variance would not harm the public interests or how it may even enhance the public interests.

Granting this variance will not change anything in the function, ecology, geography, or nature of the property. It is already there, and has been there for 15 years.

3) Unnecessary Hardship.

An applicant may not claim hardship because of conditions which are self-imposed or created by a prior owner (for example, excavating a pond on a vacant lot and then arguing that there is no suitable location for a home.). Courts have also determined that economic or financial hardship does not justify a variance. When determining whether unnecessary hardship exists, the property as a whole is considered rather than just a portion of the parcel.

You are applying for an “area variance.” An area variance relaxes a dimensional standard such as a setback, frontage, lot area, or height. For an area variance, unnecessary hardship exists when compliance would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome. The importance of the public purposes of the ordinance, the degree to which the restriction supports those purposes and the extent of the relaxation of the restriction are weighed against the limitations full compliance would impose on use of the property.

Is unnecessary hardship present?

☒ Yes. Describe.

Denial of this variance would force the removal of a critical part of our home, without changing the circumstances of any other person. There is nothing to be gained by denying it, and

☐ No. A variance cannot be granted.

no harm to others by approving it.





Application for Land Use Permit (*Shoreland*)

County of Sawyer

PO Box 676 - Hayward WI 54843

715/634-8288

*Property that is located within 300' of a creek, river or stream or within 1000' of a flowage, lake or pond or has any of the above waterbodies located within the property's boundaries.

CONSTRUCTION SHALL NOT BEGIN UNTIL ALL REQUIRED PERMITS HAVE BEEN ISSUED.
PRINT - USE BLACK INK OR PENCIL

Charles & Tracey Gundersen
Owner

(Self)
Builder

7110 Maryland Circle
Mailing Address

Mailing Address

Savage, MN 55378
City, State, Zip

City, State, Zip

952-440-9198
Daytime Phone

Daytime Phone

Additional Information:

Zone District: RR-1

Cell Phones 952-440-9198
952-201-5048
952-201-5036

Lot Dimensions: 270 x 75

Date lot was created:

Acres: .46

Is there wetland near the proposed structure? If yes, how far 150'

Building

Land Use

Floodplain: () Yes (X) No

(X) New

() Filling

Chippewa Flowage: () Yes (X) No

() Addition

() Dredging

Driveway access off of a (Check one):

() Alteration

() Grading

(X) Private Rd () Town Rd.

() Moving On

()

() County Hwy () State Hwy

()

()

Primary Structure

Accessory Building

Addition

() Dwelling

(X) Garage-attached/detached

(X) Deck

() Year round

(2) # of car stalls

() Porch

() Seasonal

() Storage Building

() Enclosed

() Frame built on site

() Screenhouse

() Living room

() Modular/manufactured

() Greenhouse

() Kitchen

() Mobile/manufactured

() Other

() Bedroom

() Other primary structure

()

() Relocate/enlarge

()

()

() # of new

Additional Information:

Cement slab on grade

Amendment 5/2/05
see attached sketch

Type of Construction:

(X) Frame () Log () Pole/metal () Block () Concrete

() Other

Construction Cost: Primary Structure \$

Accessory Building: \$ 30,000 Addition: \$

326813

Deed: Vol Pg

Certified Soil Test # 98-299

CSM: Vol Pg Lot #

Sanitary Permit # 98-301

Plat Envelope

Or:

Condo Vol Pg

Year Installed:

"Loads and Flows": Vol Pg

Owner When Installed:

Previous office approvals/actions:

Variance: # LUP: # SP: # CUP: #

Inspection Report: # Change of Zone District:

Lot(s)

Subdivision

Computer # (e.g., 032-540-29-5311 etc.) 002-840-28-5405

Parcel # (e.g., 1.6, 12.5 etc.)

: 4.5

Town Boss Lake

Owner Charles & Tracey Gundersen

Govt Lot 4

1/4

1/4 Sec 28

Twn 40

N R 8

W

05-092

4/25/05

Describe the construction using these columns. List the dimensions of each structure in a separate column. List each story, each addition, each alteration in a separate column.

#1. <u>Accessory Bldg.</u>	#2. <u>Screen Porch</u>	#3. _____	#4. _____
Size <u>28</u> ft. wide	<u>12</u> ft. wide	_____ ft. wide	_____ ft. wide
<u>34</u> ft. long	<u>20</u> ft. long	_____ ft. long	_____ ft. long
Floor area <u>952</u> sq. ft.	<u>240</u> sq. ft.	_____ sq. ft.	_____ sq. ft.
Hgt. from grade <u>26'4"</u> to peak	_____ ft. hgt.	_____ ft. hgt.	_____ ft. hgt.
Stories <u>2</u>	_____ stories	_____ stories	_____ stories
# of bedrooms <u>0</u>			

Lake/Pond/Flowage/River/Stream (Name)

Lac Court O'Leilles

(See Attached)
 ① Garage Floor Plan
 ② Existing property layout
 ③ Proposed property layout
 ④ Close-up of garage area
 ⑤ see attached sketch
 5/3/2005

Fire Number and Name of Road 7489N - County Rd E @ Bay Shore Lane

1. Enter lot dimensions and indicate north by arrow.
2. Indicate the location and size of the requested construction activities.
3. Also, indicate the location and distance to the well, septic tank and drainfield, wetland areas, lot lines, centerline of the road and waterbodies.

Signature of Owner or Authorized Agent:

Signature
 Print Name: Charles J. Gunderson
 The above certifies that the listed information and intentions are true and correct, that all work shall be performed in compliance with the requirements of the Sawyer County Zoning Ordinance and the laws and regulations of the State of Wisconsin, and if acting as owner(s) agent, has the permission of the owner(s) to perform the work requested on this application. The above persons/s hereby give permission for access to the property for onsite inspection.

Permit fee: \$ 100.00

Total land area within 300' of the waterbody: (A) 20,250 sf

Total impervious surface area [including this project] (B) 1930 2203 +

(B) / (A) x 100 = % Used 9.57% (Shall not exceed 15%[or 25% with a conditional use permit].)

Shoreline Vegetation Protection Area: Mitigation Required? () Yes ☒ No

Issue Date

4-27-05

Signature of Issuing Agent

Cindy Gierley - Deputy Z

Expiration Date

4-27-06

50% Rule:

Average Road Setback:

Office Comments:

No habitable living area allowed within the garage. etc.



1"=30'
GRAPHIC SCALE
0 15 30
BEARINGS ARE REFERENCED TO THE
NORTH LINE OF C.S.M. 1093
ASSUMED TO BEAR N83°04'00"E

Plot Plan
PLAT OF SURVEY
CLIENT: PATRICK CLARK

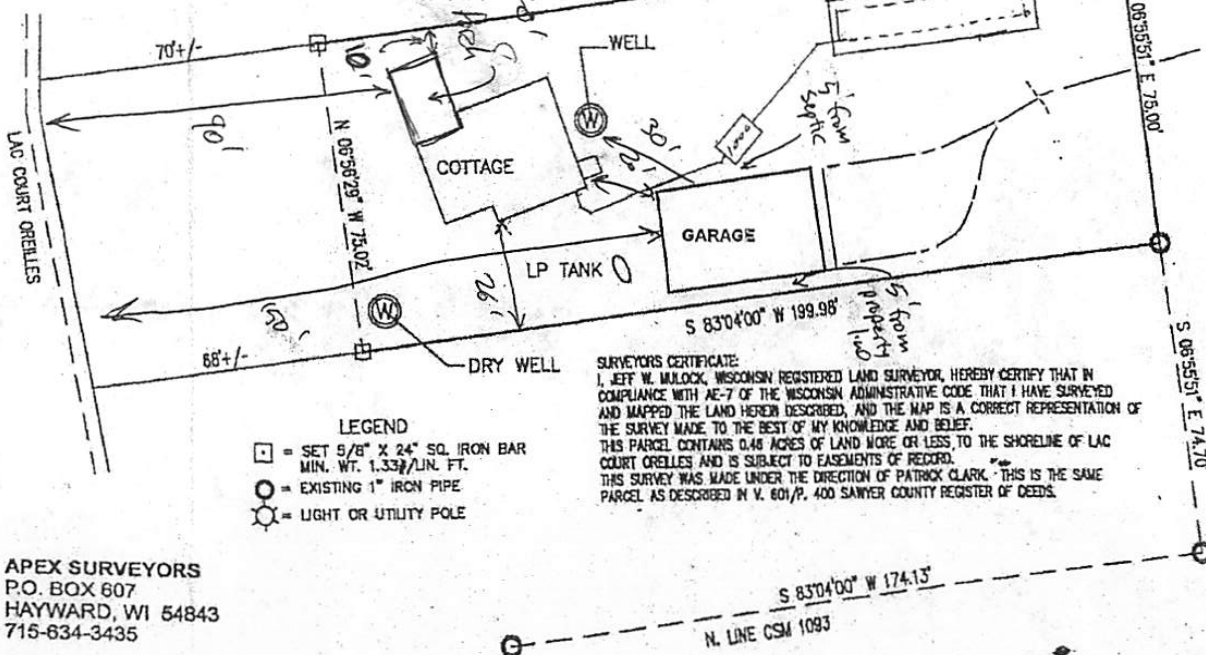
LOCATED IN GOV'T. LOT 4
SEC. 28, T40N, R8W
TOWN OF BASS LAKE
SAWYER COUNTY, WI.

FND. 1" I.P.
1.22' NORTH
OF TRUE CORNER

OWNER
DONALD HOLT
1309 21st ST.
ROCKFORD, ILL 61109

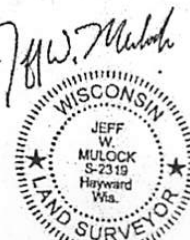
Plumber
Robert T. ...
1474 N. 114th
Cyclone ...
CR 143546

SCALE - 1" = 30'



- LEGEND**
- = SET 5/8" X 24" SQ. IRON BAR
MIN. WT. 1.33#/LIN. FT.
 - = EXISTING 1" IRON PIPE
 - ⊙ = LIGHT OR UTILITY POLE

SURVEYOR'S CERTIFICATE:
I, JEFF W. MULOCK, WISCONSIN REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT IN COMPLIANCE WITH AE-7 OF THE WISCONSIN ADMINISTRATIVE CODE THAT I HAVE SURVEYED AND MAPPED THE LAND HEREIN DESCRIBED, AND THE MAP IS A CORRECT REPRESENTATION OF THE SURVEY MADE TO THE BEST OF MY KNOWLEDGE AND BELIEF.
THIS PARCEL CONTAINS 0.48 ACRES OF LAND MORE OR LESS TO THE SHORELINE OF LAC COURT ORELLS AND IS SUBJECT TO EASEMENTS OF RECORD.
THIS SURVEY WAS MADE UNDER THE DIRECTION OF PATRICK CLARK. THIS IS THE SAME PARCEL AS DESCRIBED IN V. 801/P. 400 SAWYER COUNTY REGISTER OF DEEDS.



08/22/98

SHEET 1 OF 1

APEX SURVEYORS
P.O. BOX 607
HAYWARD, WI 54843
715-834-3435

TOTAL P. 02

PROPOSED (AMENDED)
5/02/05

SEP-04-1998 07:4

