



# Sawyer County

## Agenda

**Zoning Board of Appeals Meeting**  
**Tuesday, August 17, 2021 @ 6:00 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 July 20, 2021 Minutes  
[7-20-2021 BOA Minutes](#)

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### **3. VARIANCE APPLICATIONS**

- a. A Public Hearing in the Town of Round Lake. VAR #21-006. Owner: David & Allison Farley. Part of Government Lot 5, Lot 1 CSM 5/37 #907; S30, T41N, R07W; Parcel #024-741-30-5505; .830 total acres; (RR-2) Residential/recreational Two. Application requested as the construction of a 2-story 24'x24 (26'x26') with eaves attached garage, including a 14'x20' triangle portion connection to the existing primary dwelling. The proposed garage and addition would be located 44' at the closest point to the ordinary high-water mark (OHWM) of Round Lake. The closest point of the existing primary dwelling is located 56' from the OHWM of Round Lake. Variance requested as Section 6.1, Sawyer County Zoning Shoreland-Wetland Protection Ordinance, would require the prior granting of a variance for any new structure located closer than 75' to the OHWM with no other exempt structures or reduced setback provisions. Discussion/Action.

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#### **4. APPEALS**

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- a. A Public Hearing in the Town of Hunter. APP #21-001 against CUP #21-013 (Pinewood Properties LLC). Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Part of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Part NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1). Permit was desired for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This is CUP is subject to RZN #21-005 from RR-1 to RR-2. This was approved at Zoning Committee on May 21, 2021. Discussion/Action.  
[APP #21-001, Maske and Sennet](#)

#### **5. NEW BUSINESS**

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

#### **6. ADJOURNMENT**

**MINUTES  
PUBLIC HEARING BEFORE THE  
SAWYER COUNTY BOARD OF APPEAL  
July 20, 2021**

**Board of Appeals**

Al Gerber - Chairman  
Laura Rusk – Vice Chairman  
Mark Olson  
Steve Kelsey  
Dee Dobilas  
Gordy Christians  
Jim Tiffany

**Zoning Administration**

Jay Kozlowski, Zoning & Conservation Administrator  
Pat Brown, Assistant Zoning 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, Kelsey and Dobilas. Kozlowski, Brown and Marks are present from the Zoning Office.
- 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) Approval of the June 15, 2021 Minutes. Motion by Rusk to approve the June 15, 2021 minutes, second by Olson. All in favor.

**VARIANCE APPLICATIONS**

- 1) A Public Hearing for the Town of Bass Lake. VAR #21-005. Owner: Dean & Heide Miller. Part of Government Lot 4, Lot 3 CSM 12/357 #3034; S06, T39N, R08W; Parcel #002-839-06-5404; .260 total acres; Zoned Residential/Recreational One (RR-1). Application requested: 3 specific elements of an after-the-fact variance request. 1) The construction of a patio/walkway area that is outside of the existing footprint area of the existing cantilever portion. This would be viewed as a 1' x 21' expansion area of the patio and wing-wall closer to the water. 2) The second element of the request has 2 specific expansions related to the same area. First is the relocation of an existing retaining wall not within the existing foot print. This existing retaining wall was relocated further from the water. The second specific request is by moving the retaining wall

further back a smaller portion of walkway was added. The approximate size of the walkway expansion area is an 11' x 4' triangular portion. 3) Is the expansion of a walkway area that is approximately 1.5' x 5'. There was an existing walkway which was allowed for replacement and expansion of the patio area underneath the cantilever portion. However, there was a small gap where there wasn't an existing walkway area which has now expanded. All of these setbacks would be measured at 1' to the OHWM of Lac Courte Oreilles at the closest point. All other setbacks would be met. Variance requested as: All of the variance elements would be subject to the Section 6.1 Shoreland Setbacks of the Sawyer County Zoning Shoreland-Wetland protection ordinance would require the prior granting of a Variance for any new structures not within the existing footprint of the existing structures closer than 75'. This proposed request would be for an A-T-F Variance of a 1' shoreline setback for the elements previously described. Kozlowski reads the application, staff report, Town opinion w/conditions and Neighbor opinion letters. Jeremy Hill, contractor for the Miller's speaks in favor of the application. That the plans show the walkways and setbacks. Miscommunication over the width of the walkway. Feels the Miller's variance should be granted. Discussion with Board and Kozlowski. Dean Miller, owner speaks in favor of the application with adding improvements of 2 rain gardens and removing a cement walkway and making it pervious. The Dwelling is not a Boathouse and has never been a Boathouse. We have owned since 1994. Met with Pat Brown and contractor for an onsite inspection for options. The DNR found no infraction on OHWM. Heide Miller, owner speaks of the plans submitted in August and permitted in September. Deb Ruetiman, Bass Lake property owner speaks in favor of the application. Chris Fullerton, Bass Lake property owner speaks in favor of the application. Alf Sivertson, Bass Lake property owner and former COLA board member speaks against the application. Kevin Horracks, President of COLA speaks in against the application. Ann Harris, Bass Lake resident speaks against the application. No other audience comments. Dean Miller, owner states that they believe they did nothing wrong and that is was a miscommunication. Discussion by Board is held with Kozlowski and Brown. Element #2 no discussion. Element #3 Sidewalk termination is discussed. Dean Miller, owner states that with the ice berms the walkway had deteriorated and washed away. Kevin Horracks, President of COLA states that all 3 elements should be treated all the same. Does the plan show gutters and rain gardens? Heide Miller, owner states that they have hired a landscaper and are working with the Sawyer County Conservation Department, also gutters will be installed but are not available as of yet with the supply shortages. Deb Reuitman, Bass Lake property owner is in favor of all three requests. Jeremy Hill, contractor says that the old pictures show the concrete and to leave it as is for the lake protection. No other comments. Discussion by Board held with Kozlowski.

Motion by Olson to approve in part with conditions. Element #1 to deny. The construction of a patio/walkway area that is outside of the existing footprint area of the existing cantilever portion. Element #2 to approve, this has 2 specific expansions related to the same area. First is the relocation of an existing retaining wall not within the existing footprint. This existing retaining was relocated further from the water. Second request is by moving the retaining wall further back a smaller portion of walkway was added. The approximate size of walkway expansion area is 11' x 4' triangular portion. Element #3 to approve is for the expansion of a walkway area that is approximately 1.5' x 5'. There was an existing walkway which was allowed for replacement and expansion of the patio area underneath the cantilever portion. However, there was a small gap where there wasn't an existing walkway area which has now expanded. Approved with the following 5 conditions: 1. Remove the 1 foot of walkway on the lake side from the existing walkway replaced up to the edge of the first step (no removal from the landing

in front of the steps) utilizing best shoreline protection practices. 2. Remove 1 foot of walkway on the lake side from the new walkway not in the same existing walkway area utilizing best shoreline protection practices. 3. The "cement sidewalk on the plans" named on the Miller's Variance application to be replaced with a pervious surface of either a TREX or crushed stone walkway. 4. Two rain gardens are to be installed so gutters and downspouts will drain into the rain gardens and be captured. The rain garden plans need to be filed with and approved by Sawyer County Zoning. 5. The conditions listed for approval must be completed by November 30, 2021.

#### Findings of Fact:

Element #1 The variance would be contrary to the public interest and would not be in compliance with the spirit and intent of the Sawyer County zoning Shoreland-Wetland Protection Ordinance applicable sections: For the purpose of promoting the public health, safety, convenience and welfare, and promote and protect trust in navigable waters this ordinance has been established to:

- 1.31 Further the maintenance of safe and healthful conditions and prevent and control water pollution through: (4) Limiting impervious surfaces to control runoff which carries pollutants.
- 1.32 Protect spawning grounds, fish and aquatic life through: (3) controlling shoreline alternations, dredging and lagooning.
- 1.33 Control Building sites, placement of structures and Land Uses through: (3) Setting minimum building setbacks from waterways.
- 1.34 Preserve and restore Shoreland vegetation and natural scenic beauty through: (2) Preventing shoreline encroachment by structures.

A literal enforcement of the terms of the Sawyer County Zoning Shoreland-Wetland Protection Ordinance Section 6.1 Shoreland Setbacks would not result in unnecessary hardship as stated: Require the prior granting of a variance for any new structures not within the existing footprint of the existing structures closer than 75'.

Elements #2 and #3. With conditions the variance Elements #2 and #3 would not be contrary to the public interest and would be in compliance with the spirit and intent of the Sawyer County Zoning Shoreland-Wetland Protection Ordinance applicable sections: for the purpose of promoting the public health, safety, convenience and welfare, and promote and protect the public trust in navigable waters this ordinance has been established to:

- 1.31 Further the maintenance of safe and healthful conditions and prevent and control water pollution through: (4) Limiting impervious surfaces to control runoff which carries pollutants.
- 1.32 Protect Spawning grounds, fish and aquatic life through: (3) controlling shoreline alterations, dredging and lagooning.
- 1.33 Control building sites, placement of structures and Land Uses through: (3) Setting minimum building setbacks from waterways.
- 1.34 Preserve and restore Shoreland vegetation and natural scenic beauty through: (2) Preventing shoreline encroachment by structures.

A literal enforcement of the terms of the Sawyer County Zoning Shoreland-Wetland Protection Ordinance Section 6.1 Shoreland Setbacks would result in unnecessary hardship as stated: Require the prior granting of a variance for any new structures not within the existing footprint of the existing structures closer than 75'.

Conclusions of Law:

Elements #1. Based on the contents of the variance application, the Sawyer County Zoning Shoreland-Wetland Protection Ordinance, the Town Comprehensive Plan, State law, and the testimony and exhibits entered into the record the variance does not meet all three of the following tests:

1. Unnecessary Hardship. That the hardship does not consist of a situation where, in the absence of a variance, compliance with the strict letter of the restrictions governing area, setback, frontage, height, bulk or density will unreasonably prevent the owner from using the property for a permitted purpose (use) or would render conformity with such restrictions unnecessary burdensome (area). The hardship is self-created. Claimed Zoning told applicants they could expand the patio/walkway out to include the "1 foot overhang" of the cantilever structure and relied on that for the submitted plans. The expansion to include area under overhang was ultimately missed by Zoning and received erroneous approval. Ultimately constructing the expanded patio/walkway outside of existing footprint. Zoning contests applicants were told they could expand to include area under overhang.

In established case law we find justification for our finding:

1. Neither Wisconsin case law nor Wis. Stat. 59.694(7)(c) distinguishes between before-the-fact and after-the fact variances.

2. Snyder, Appellant, v Waukesha County Zoning Board of Adjustment, Respondent, Supreme Court of Wisconsin. Appellant argues that the hardship caused by the existence of the porch is not self-created because he relied upon assurances of the building inspector. To allow this contention would constitute estoppel of the municipality from enforcing its zoning ordinance. The rule of the law in this state is clear that no such estoppel may arise against a municipality for the unauthorized acts of its officers. *Town of Richmond v. Murdock*, 70 Wis.2d 642, 653-54, 235 N.W.2d 169, 171-72 (1966). Even if the inspector issued a building permit, such a permit would have been void as issued for a structure which is forbidden by the ordinance. *Rathkopf, The Law of Zoning and Planning* 56-1 (3d ed. 1972). A building permit cannot confer the right to violate the ordinance. *Jelinski v. Eggers*, 34 Wis.2d 85, 93, 148 N.W.2d 750, 755 (1967). Thus, the mere statements or assurances of the building inspector cannot confer such a right. The appellant is charged with knowledge of the zoning ordinance, *State ex rel. Markdale Corp. v. Board of Appeals*, supra at 162, 133 N.W.2d at 798, and thus may not successfully contend that the existence of the porch, constructed without first obtaining a variance, is not a self-created hardship. The Applicants stance is not persuasive as an unnecessary hardship and therefore the unnecessary hardship step is not met for Element #1.

2. Unique Property Limitation. That the application has demonstrated as unnecessary hardship due to a condition unique to the property and not personal to the applicant. Property has a unique shoreland characteristic property limitation of having a structure allowed within 1 foot of the lakebed which prevents compliance with the ordinance. The property has a structure that was in existence prior to zoning and under current State Law is allowed to expand in the same footprint vertically (up and down) without a variance. Therefore, the unique property limitation is met for Element #1.

3. No Harm to Public Interest. That the applicant has not demonstrated that the variance will not be contrary to the public interest and will not undermine the purpose(s) of the ordinance. The variance will cause harm to:

a. The maintenance of safe and healthful conditions and prevent and control water pollution through limiting impervious surfaces to control runoff which carries pollutants.

- b. Protect spawning grounds, fish and aquatic life through controlling shoreline alterations, dredging and lagooning.
- c. Control building sites, placement of structures and land uses through setting minimum building setbacks from waterways.
- d. Preserve and restore shoreland vegetation and natural scenic beauty through preventing shoreline encroachment by structures.

Granting a variance would increase the impervious surface area, not protect spawning grounds, fish and aquatic life, not control placement of structure minimum setback from waterway, and cause shoreline encroachment.

Therefore, the no harm to public interest is not met for Element #1.

#### Element #2 and #3

Based on the contents of the variance application, the Sawyer County Zoning Shoreline-Wetland Protection Ordinance, the Town Comprehensive Plan, State law, and the testimony and exhibits entered into the record the variance does meet all three of the following tests:

1. Unnecessary Hardship. That the hardship does consist of a situation where, in the absence of a variance, compliance with the strict letter of the restrictions governing area, setback, frontage, height, bulk or density will unreasonably prevent the owner from using the property for a permitted purpose (use) or would render conformity with such restrictions unnecessarily burdensome (area).

There is an unnecessary hardship present that is not the basis of economic gain or loss and that absent a variance, conformity with the strict letter of the restrictions would be unnecessarily burdensome.

Neither Wisconsin case law nor Wis. Stat. 59.694(7)(c) distinguishes between before-the-fact and after-the-fact variances.

In reference to variance Element #2 listed, the area of expansion outside of the existing retaining wall that resulted from squaring up the retaining wall would be compensated for through the removal of 1 foot of walkway on the lake side from the existing walkway replaced up to edge of first step (no removal from landing in front of steps which is allowed). Granting the variance with conditions on a walkway expansion area of an 11' x 4' triangular portion would provide for having more impervious surface area removed from the lakeshore and be further from lakeshore than triangular portion which would result in a net gain on lakeshore.

In reference to variance

Element #3 listed, there is evidence presented that that shows a walkway was present in the past but is undeterminable as to the exact size. The area of expansion to be allowed with condition of only being allowed to extend 4 feet from the base of structure would provide for less impervious surface on the lakeshore and further from the lakeshore.

This applicant(s) stance is persuasive for an unnecessary hardship being present and therefore the unnecessary hardship step is met for Element #2 and element #3 listed.

2. Unique Property Limitation. That the applicant has demonstrated an unnecessary hardship due to a condition unique to the property and not personal to the applicant:

Property has a unique shoreland characteristic property limitation of having a structure allowed within 1 foot of the lakebed which prevents compliance with the ordinance. The property has a structure that was in existence prior to zoning and under current State Law is allowed to expand in the same footprint vertically (up and down) without a variance. The variance conditions for #2 and #3 listed provide for the new expansions to be further away from the lakeshore.

Therefore, the unique property limitation is met for Element #2 and Element #3 listed.

3. No Harm to Public Interest. That the applicant has demonstrated that the variance will not be contrary to the public interest and will not undermine the purpose(s) of the ordinance. The variance with conditions will not cause harm to:

- a. The maintenance of safe and healthful conditions and prevent and control water pollution through limiting impervious surfaces to control runoff which carries pollutants.
- b. Protect spawning grounds, fish and aquatic life through controlling shoreline alterations, dredging and lagooning.
- c. Control building sites, placement of structures and land uses through setting minimum building setbacks from waterways.
- d. Preserve and restore shoreland vegetation and natural scenic beauty through preventing shoreline encroachment by structures.

Granting a variance Element #2 and #3 with conditions listed would not increase the impervious surface on the lakeshore since gaining more removal of impervious surface on the lakeshore than allowing further from lakeshore through conditions. With conditions listed protect spawning grounds, fish and aquatic life, through requiring structure to be 1 foot off the shoreline. With conditions listed would control the placement of structures with a 1 foot further setback from waterway. With conditions will not cause shoreline encroachment since the public interest is receiving 1 foot less of impervious surface on lakeshore with conditions.

Therefore, the no harm to public interest limitation is met for Elements #2 and #3 listed.

Rusk seconds the Motion. Discussion held by Board. Vote of 2 to 3. Motion fails.

Motion by Gerber to approve the Variance as presented, second by Dobilas. Discussion held by Board. Vote of 3 to 2. Motion to approve carries. Findings of Fact: 1) There is no change in use in the Zone District. 2) It is not harmful to the rights of others. 3) It is not detrimental to the health and community of the lake.

#### **NEW BUSINESS**

1) Notified Board of two cases for next month and that they may listen to audio of the appeal. Discussion regarding recuse and abstaining from a case.

2) 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.



**Sawyer County Zoning & Conservation Department**

10610 Main Street, Suite 49

Hayward, WI 54843

[pat.brown@sawyercountygov.org](mailto:pat.brown@sawyercountygov.org)

Fax (715) 638-3277

(715) 634-8288

## **VARIANCE REQUEST STAFF REPORT**

**Applicant:**

David & Allison Farley

PO BOX 1227

Hayward, WI 54843

**Property Location:**

10265N Comstock Road

Parcel # 024-741-30-5505

**Summary of Request:**

The applicant is requesting a variance to build a 2 story 24' x 24' (26' x 26' with eaves) attached garage, including a 14' x 20' triangle portion connection to the existing primary dwelling. The proposed garage and addition would be located 44' to the closest point of Round Lake. The existing non-conforming dwelling is located 56' to the OHWM of Round Lake at the closest point. Height of this proposed structure would line up with the existing structure with an additional 4/12 or 6/12 pitch and would be approximately 24-26' in total height.

**Project History:**

The applicant, is applying for relief of Section 6.1, Sawyer County Zoning Shoreland-Wetland Protection Ordinance for a reduced OHWM setback. The required setback for new structures here would be 75' from the OHWM but no other available area exists. This property would be eligible for the "200sq ft rule". In that an existing non-conforming structure located beyond 35' from the OHWM is allowed a 200sq ft lateral expansion of the footprint no closer to the water than the existing structure. This proposed addition is going closer to the water but out of the 716sq ft total of proposed footprint expansion, 200 sq ft of it would be eligible as part of this 200 sq ft rule.

**On-site Notes/Comments:**

See attached inspection report completed by Jay Kozlowski.

As part of the onsite visit on 05/18/21 Jay Kozlowski met with the applicant onsite to look at possible addition/alteration areas and measure setbacks on the existing structure. The applicant had stated they are really looking for a garage area and where a garage could be placed on the property. This lot certainly has some property limitations. We looked at a spot as far as digging a garage into the side hill on this property which would have some challenges as well and would still need a reduced water setback variance. Eventually it was decided to try and attach the garage to the existing house with an angled addition so that

that that garage doors would face down the existing driveway. The intent would then be to flatten out the top area to create a larger, flatter plateau for the garage placement. This type of grading project could be done without the variance and the owner would need to work with the Zoning & Conservation Department for the permitting process.

Additionally, the BOA can implement additional mitigation measurements as this request is for a reduced lake setback. The applicant as already agreed to remove an existing shed from the property that is 80sq ft and located 24' from the OHWM. It should also be noted that this property does have a very good intact bufferzone and any approval process for a variance should have a condition of recording a shoreline vegetation protection agreement.

### **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 \_\_\_\_\_ (shed) \_\_\_\_\_ must be removed within 1 day from the time the Land Use Permit is submitted and will not be issued until removal.
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.
12. Shoreline bufferzone mitigation is required.

**(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):

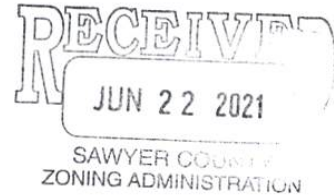
1. The \_\_\_\_\_ must be removed within \_\_\_\_\_ days
2. The applicant will allow agents of Sawyer County access to the property to ensure compliance with the terms of this decision, Sawyer County Codes, and State and Federal Laws.

(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: David & Allison Farley

Address: PO Box 1227 Hayward, WI 54843 Phone: 715-790-0662 Email:

Property Description: Part Govt Lot 5, LOT 1 CSM #907 Sec30 T41N R07W, Parcel # 024-741-30-5505 #10265N Comstock Road

Acreage: 0.83 Zoned: Residential/Recreational One (RR-2)

Town of Round Lake

**Application requested:**

The construction of a 2-story 24' x 24' (26' x 26') with eaves attached garage, including a 14'x20' triangle portion connection to the existing primary dwelling. The proposed garage and addition would be located 44' at the closest point to the ordinary high-water mark (OHWM) of Round Lake. The closest point of the existing primary dwelling is located 56' from the OHWM of Round Lake. (see inspection report drawing)

**Variance requested as:**

Section 6.1, Sawyer County Zoning Shoreland-Wetland Protection Ordinance, would require the prior granting of a variance for any new structures located closer than 75' to the OHWM with no other exempt structures or reduced setback provisions.

Property Owner(s) Signature

David T Farley  
Print & Sign

[Signature]  
Print & Sign

Agent Signature(s), address, phone &

Email: \_\_\_\_\_

Date of Meeting August 17, 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

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

Completed by DAVID T FARLEY  
(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 has no garage*

Describe the variance requested - (e.g., "Add a 15' x 20' addition to the side of the home."). *Addition of 24' x 26' 2 car garage*

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."). *Hardship for vehicle storage, winter use, storage in general*

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.")

*No other alternatives, tried to purchase property from neighbors would not sell and if so difficult area to build due to incline and closeness to Lake & Lowland will be taking down current 8' x 10' barn as well as approx 800 sqft raised deck walkways for a more natural look and feel*

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

*No, the way this addition is layed out it works best for the topography to do less damage to nature in the area, less run off, ect*

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.").

*Silt logs, Rock, drain tile as well as silt fence, grass and shrubs will be planted as well as a natural looking landscape*

**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."). *There are wet lands behind the house, Lake shore in front and beside the house.*

- ☐ 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.

*This cabin is very private and can hardly be seen from the lake or neighbors. Neighbors to the east/south is approx 300' away, neighbors to west 400' away*

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.

*The need for a garage in Northwest WI is almost a must for vehicle storage especially this location with winds and drifts. Very hard for elderly & young*

☐ No. A variance cannot be granted.

## Real Estate Sawyer County Property Listing

Today's Date: 6/22/2021

Property Status: Current

Created On: 2/6/2007 7:55:44 AM

 **Description** Updated: 10/27/2020

**Tax ID:** 26039  
**PIN:** 57-024-2-41-07-30-5 05-005-000050  
 Legacy PIN: 024741305505  
 Map ID: :5.5  
 Municipality: (024) TOWN OF ROUND LAKE  
 STR: S30 T41N R07W  
 Description: PRT GOVT LOT 5 LOT 1 CSM 5/37 #907  
 Recorded Acres: 0.830  
 Lottery Claims: 0  
 First Dollar: Yes  
 Waterbody: Round Lake  
 Zoning: (RR2) Residential/Recreational Two  
 ESN: 444

 **Tax Districts** Updated: 2/6/2007

|        |                                   |
|--------|-----------------------------------|
| 1      | State of Wisconsin                |
| 57     | Sawyer County                     |
| 024    | Town of Round Lake                |
| 572478 | Hayward Community School District |
| 001700 | Technical College                 |

 **Recorded Documents** Updated: 8/19/2014

 **WARRANTY DEED**  
 Date Recorded: 10/19/2020 [427355](#)  
 **WARRANTY DEED**  
 Date Recorded: 9/15/1994 [244091](#) 540/43  
 **CERTIFIED SURVEY MAP**  
 Date Recorded: 5/19/1977 [159449](#)

 **Ownership** Updated: 10/27/2020

**DAVID T & ALLISON I FARLEY** HAYWARD WI

|                                       |                                       |
|---------------------------------------|---------------------------------------|
| <b>Billing Address:</b>               | <b>Mailing Address:</b>               |
| <b>DAVID T &amp; ALLISON I FARLEY</b> | <b>DAVID T &amp; ALLISON I FARLEY</b> |
| PO BOX 1227                           | PO BOX 1227                           |
| HAYWARD WI 54843-1227                 | HAYWARD WI 54843-1227                 |

 **Site Address** \* indicates Private Road  
 10265N COMSTOCK RD \* HAYWARD 54843

 **Property Assessment** Updated: 7/16/2019

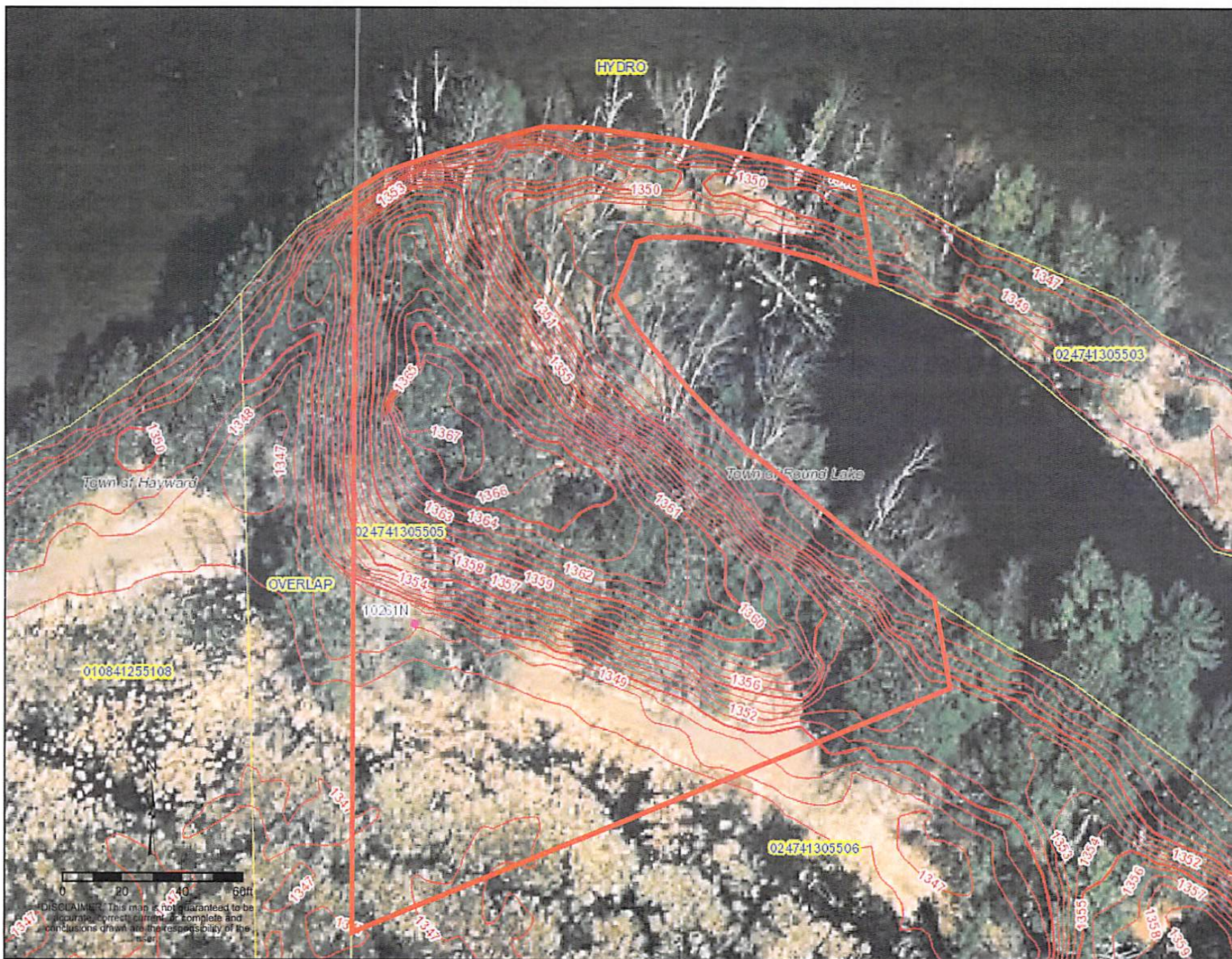
**2021 Assessment Detail**  

| Code           | Acres | Land    | Imp.   |
|----------------|-------|---------|--------|
| G1-RESIDENTIAL | 0.830 | 225,100 | 62,200 |

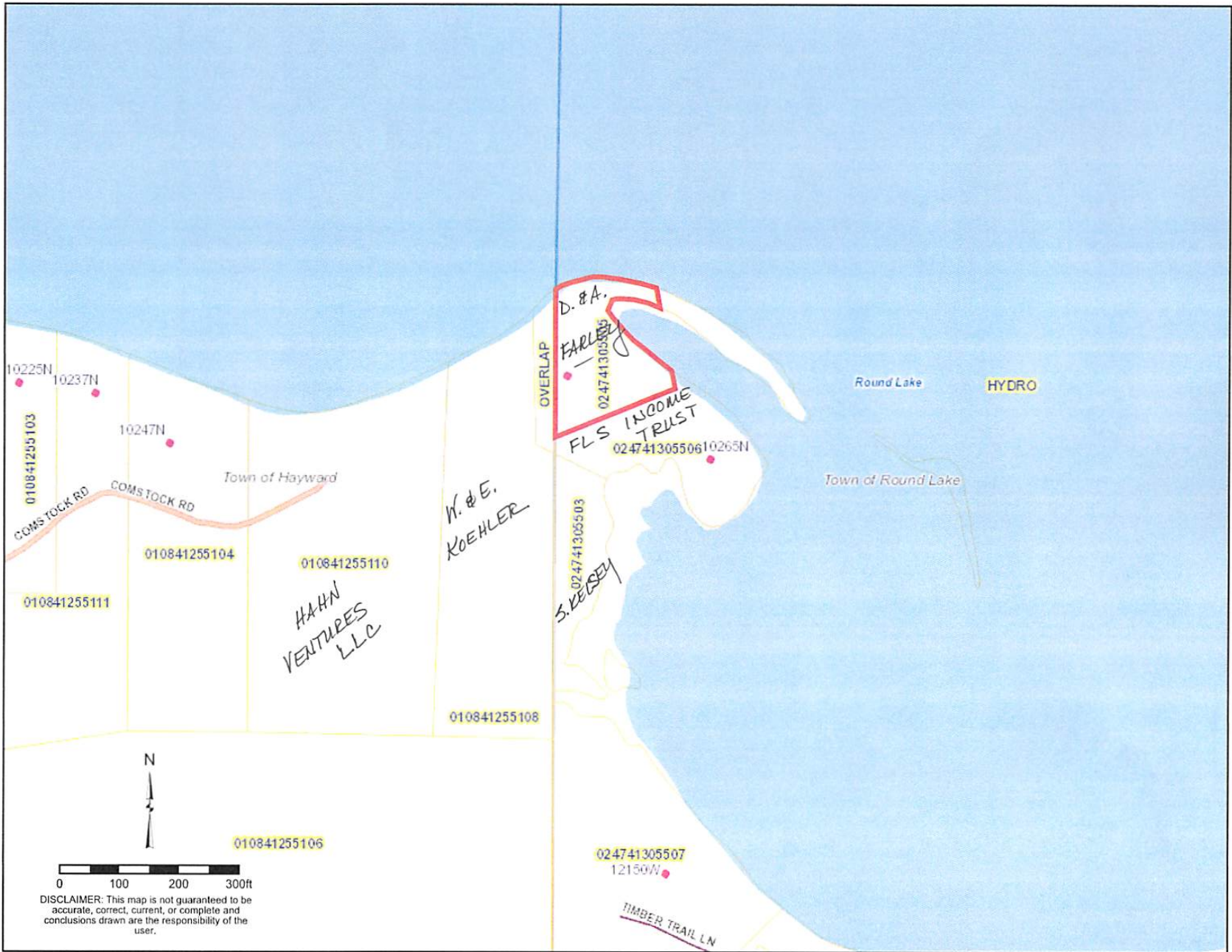
|                          |             |             |               |
|--------------------------|-------------|-------------|---------------|
| <b>2-Year Comparison</b> | <b>2020</b> | <b>2021</b> | <b>Change</b> |
| <b>Land:</b>             | 225,100     | 225,100     | 0.0%          |
| <b>Improved:</b>         | 62,200      | 62,200      | 0.0%          |
| <b>Total:</b>            | 287,300     | 287,300     | 0.0%          |

 **Property History**

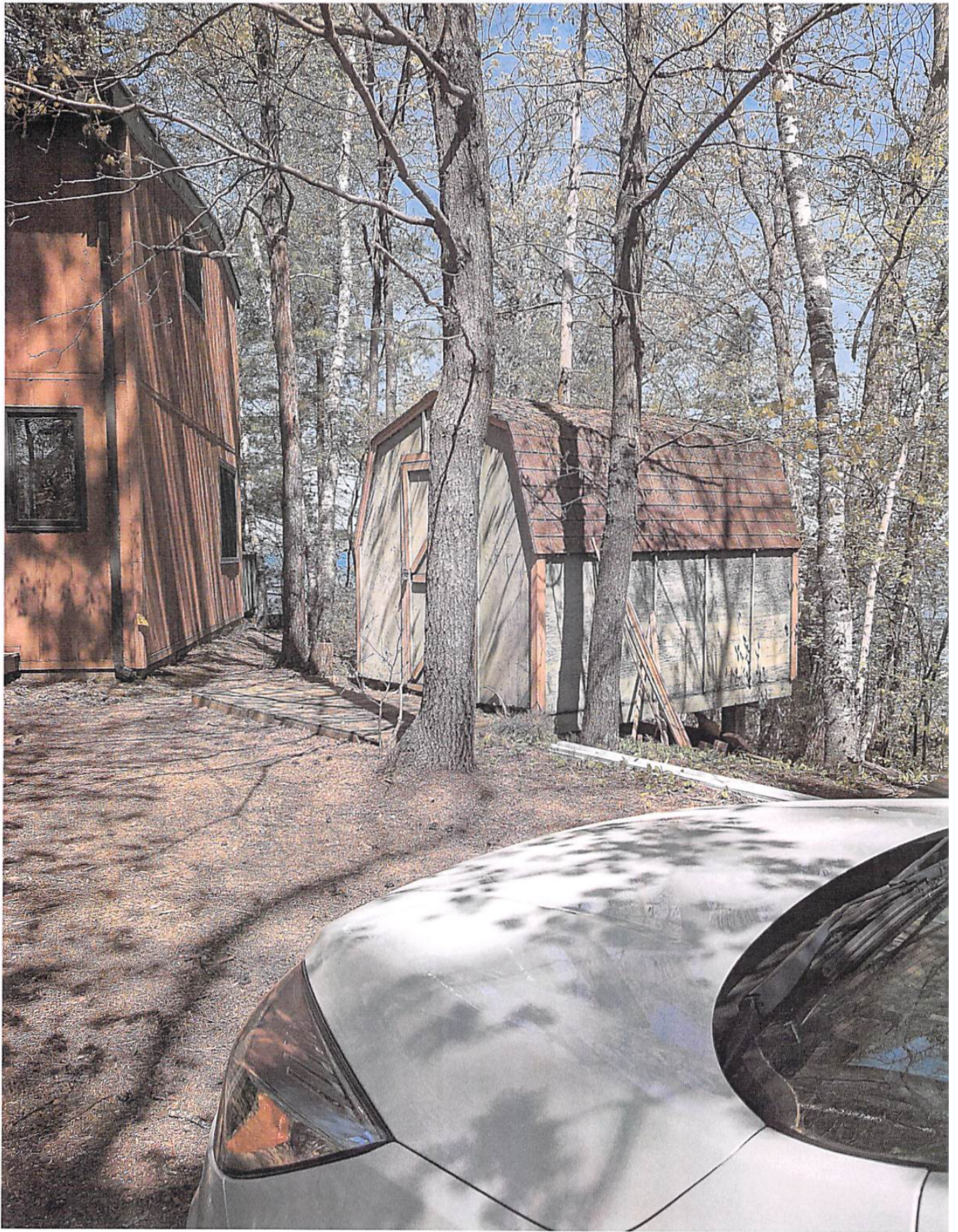
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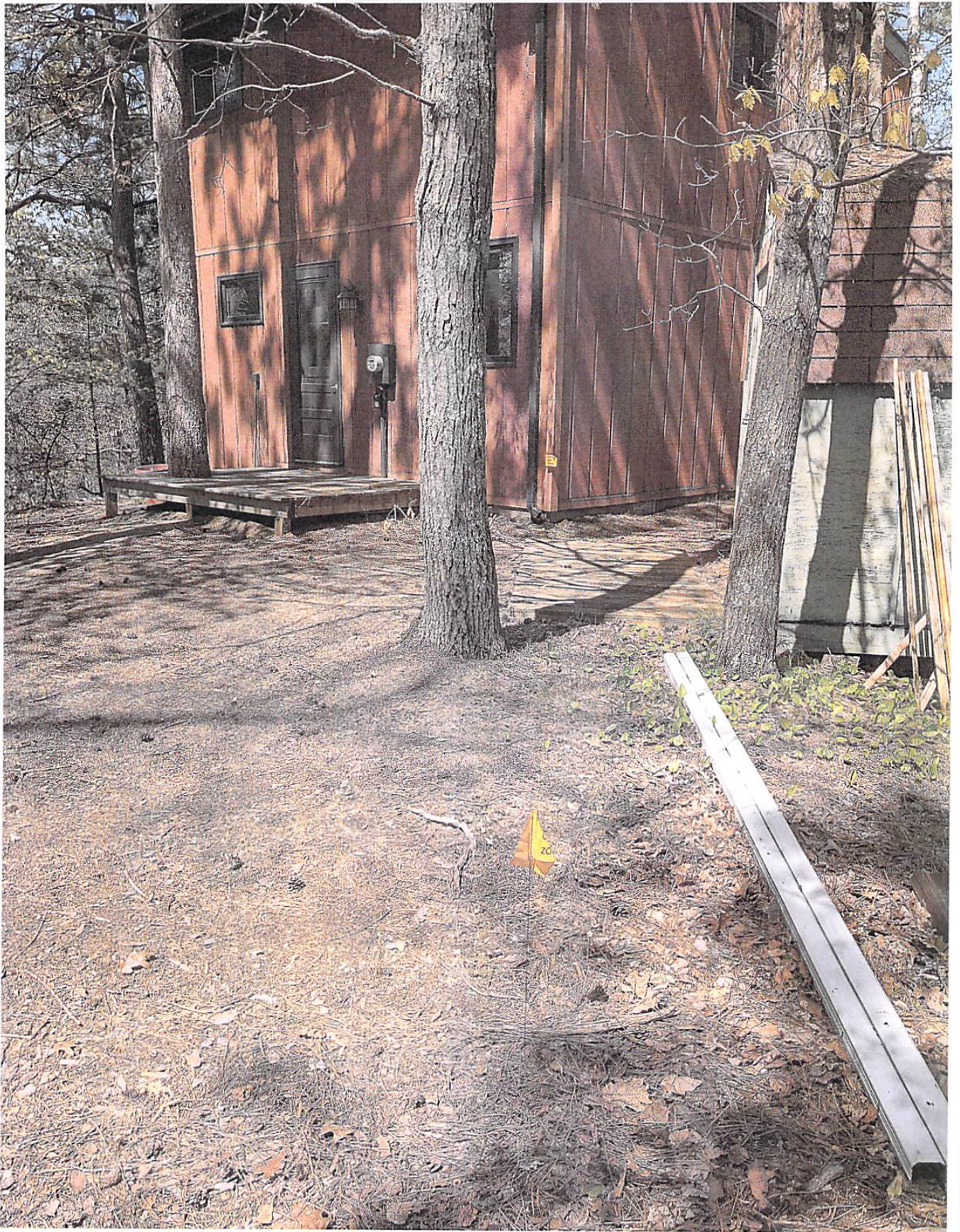




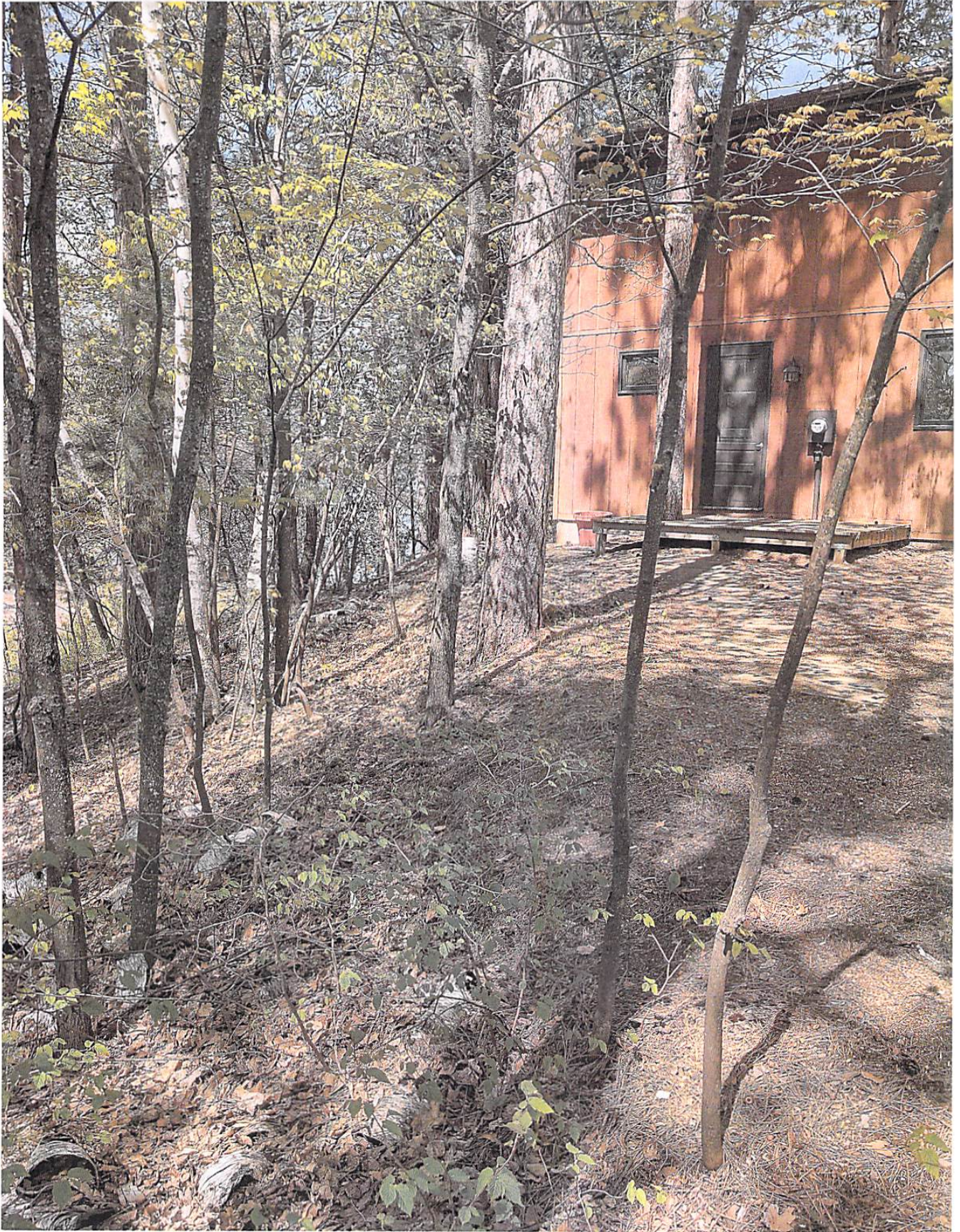




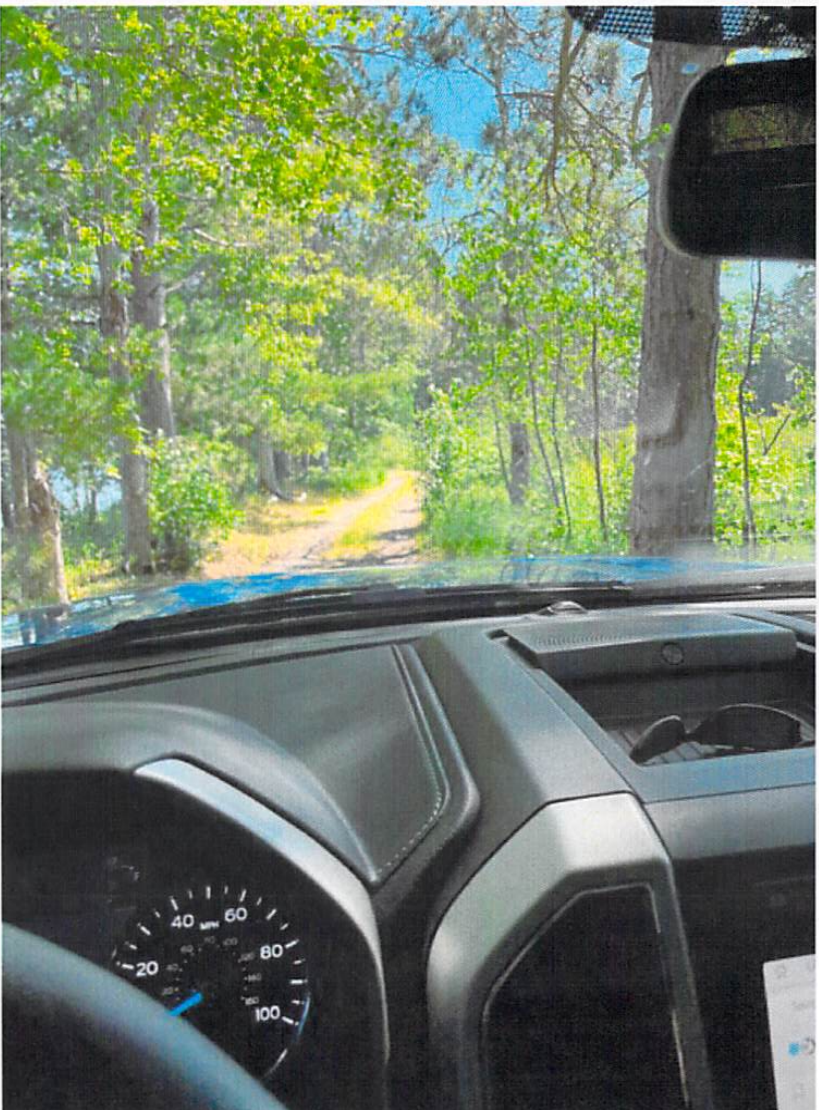


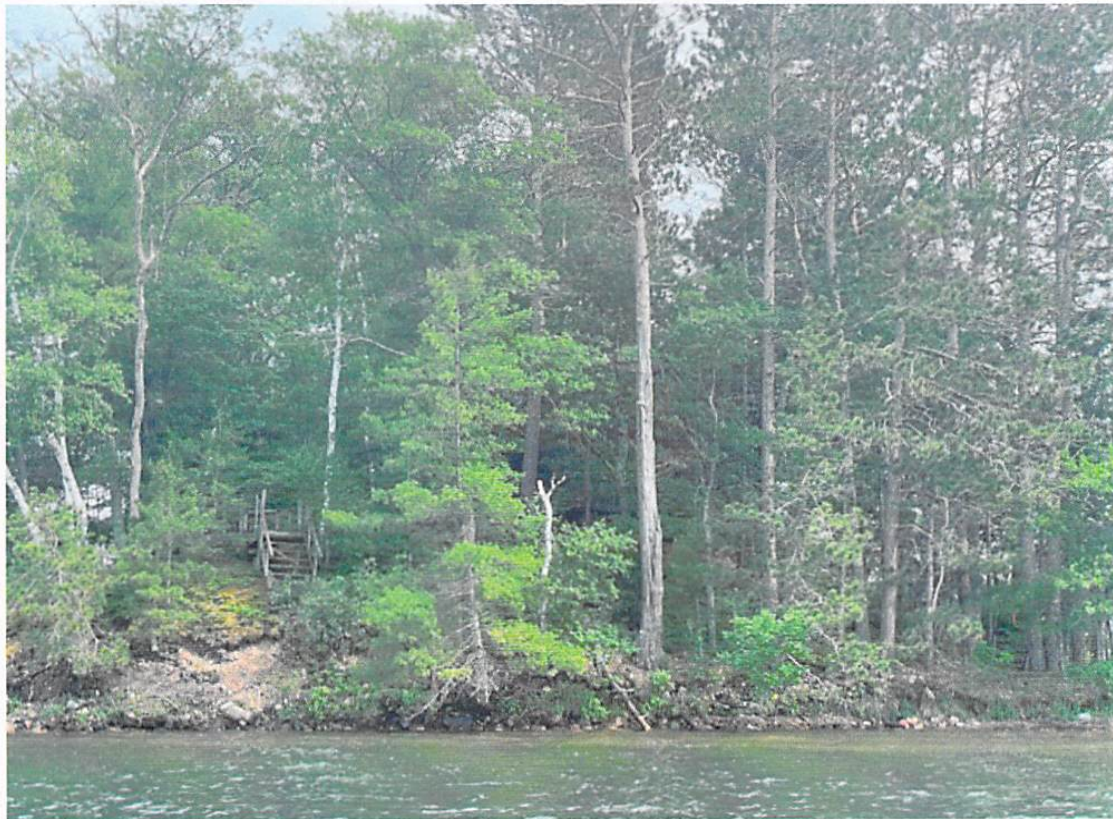






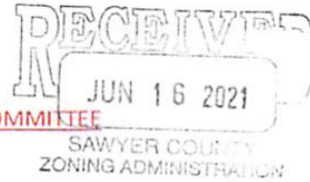






Sent from my iPhone

Return Original



APPEAL OF DECISION MADE BY THE SAWYER COUNTY ZONING COMMITTEE

Date: 6-16-2021

Appellant(s): (1) Martin Maska Trust  
Darlene Smolen, Trustee

(2) Lynn D. Sennett

Address: 8705 N County Rd 02  
Hayward, WI 54843

Property: 8712 N County Rd 02  
Hayward, WI 54843

Telephone #: 715-462-3929

Email: chmpare@centurytel.net

Property description: Parcel #s 012-740-14-2404  
012-740-14-2407  
012-740-14-2414  
012-740-14-4204 } Pinewood Properties  
Sisko's PinePoint Resort

Deed # \_\_\_\_\_ Acreage: 15.53 Zone district: \_\_\_\_\_

Present use of property: VACANT & a beautiful example  
of one of our NATURAL RESOURCES overlooking the Flawage.

Used so continuously since (date): 50+ YEARS.

The undersigned hereby requests a review of a decision made by the Sawyer County Zoning Committee at a public hearing held on (date): May 21, 2021

Decision of the Committee: \_\_\_\_\_

APPROVED Zoning Change - #21-005

APPROVED Conditional Use Permit - #21-0013  
("CUP")

It is <sup>our</sup> ~~my~~ opinion that the Committee (did/did not) keep within its jurisdiction when making its decision. (Justify your opinion.) Procedurally a CUP cannot be approved before Sawyer County Approves the zoning change #21-005. (CART Before Horse)

As there was AND still is a CEASE AND DESIST ORDER in place  
Against Pinewood - therefore, nothing should have been  
considered at that time.

also - still awaiting covenants violation from Northern States Power /  
D/B/A EXCEL Energy.

our  
It is my opinion that the Committee (did/did not) proceed on the correct theory of law when making its decision. [Justify your opinion.] Documentation missing to make a sound

Decision were not available: (1) No Saturation Test (need).

(2) No Impact Study - increased seasonal population will  
cause increased strain on social services (i.e. Hospital,  
ambulance service, Sheriff's Department, medical  
professionals)

It is my opinion that the Committee's decision (was/was not) arbitrary, oppressive, or unreasonable and represented its will not its judgment. [Justify your opinion.]

There was absolutely no consideration given to the  
residents (fulltime AND seasonal) Our Property Values will  
be depressed significantly due to this alteration  
of our Landscape. Location AND Surroundings  
effect VALUES \*

\*SEE muskyTalk.

It is my opinion that the evidence was such that the Committee (could/could not) have reasonably made the decision in question. [Justify your opinion].

Could not and should not have approved #21-005 / #21-0013

The full name of zoning is Sawyer County Zoning and Conservation  
Committee; And on website one of its responsibilities  
is - Promoting, protecting, and enhancing the  
LAND and WATERS of Sawyer County. (Attached)

- This is conservation -  
=

**Sawyer County Board of Appeals – Rules and By-laws, Section 5.12 Fees.**  
The applicant/appellant shall pay such fees as may be from time to time established by the County Board, which amount shall be deposited with the Zoning Administrator for each application/appeal filed before a public hearing will be scheduled. Any fees required for the copying of, reproduction of or the publishing of documents, photographs, or the copying of recorded tapes or the copying or reproduction of any item related to the "record" created by a decision of the Sawyer County Zoning Committee shall be the responsibility of the appellant and shall be paid to the Zoning Administrator prior to the Board conducting a public hearing on the appeal. The Zoning Administrator shall provide an itemized bill to the appellant for payment. Any services required of an outside agency shall be at the discretion of the Zoning Administrator and shall be billed to the appellant accordingly.

Fee: \$500.00

Date Paid \_\_\_\_\_

Cash or Check # \_\_\_\_\_

Name and address of Agent/Legal Counsel

none at this time

Phone \_\_\_\_\_

Email \_\_\_\_\_

1. MARTIN L. MACK TRUST

By Charles Amoln.  
Y Ruo Yee

[Appellant signature(s)]

2. Lynn D. Sennett  
LYNN D. SENNETT

The above hereby make application for a review of a decision(s) made by the Sawyer County Zoning Committee. The above certify that: (1) the listed information and intentions are true and correct; (2) the above person(s) hereby give permission for access to the property for on-site inspections and (3) I/we understand the requirements of Section 5.12 Fees above.

made/  
Sennett

ATTACHMENT TO APPEAL DTD 6-16-2021

Printed 6/15/2021

## Zoning & Conservation

### Proposed Ordinance Amendments

- 6.611 Trailer Camps and Campgrounds V5

### Public Hearing Information

- Public Hearing Appearance Slips
- Hearing Appearance Slip Fillable
- Statement of Committee Hearing and Procedure and Statement of Hearing Notice

### Comprehensive Plan Update

- Comprehensive Public Participation Plan

## Responsibilities

The office is responsible for issuing various types of permits and scheduling public hearings for the Zoning Committee and the Board of Appeals. Office personnel also assist and advise property owners and prospective owners by:

- Performing onsite property inspections for the purpose of constructing new dwellings, accessory buildings and additions to existing structures
- Establishing/identifying required setbacks (i.e., lot lines, roadways, wetlands, lakes, rivers and streams, septic systems etc.)
- Identifying building sites
- Identifying suitable septic system sites
- Locating previously issued permits
- Advising on parcel subdivisions
- Identifying zone districts
- Advising on the appropriate zone district for land uses
- Promoting, protecting and enhancing the land and waters of Sawyer County

## Environmental Control

In conjunction with federal, state and county agencies and programs; the department has initiated a tree planting program, a lakes information database, designed and implemented erosion control practices, and administers the Wildlife Damage and Farmland Preservation Programs. The Department provides educational information to lake associations, schools and other interested organizations as requested. The Department also maintains County owned dams and all County parks.

## Attention Town of Spider Lake Property Owners

Owners of property in the Town of Spider Lake obtain Sanitary Permits and Emergency 911 number applications from the Sawyer County Zoning administration. However, to obtain Land Use Permits or any other zoning information, property owners should contact the Spider Lake Zoning Administrator at TSLzoning@gmail.com

## Contact Us

### Zoning & Conservation

Email the Zoning and Conservation Department

#### Physical Address

10610 Main Street  
Suite 49  
Hayward, WI 54843

Phone: 715-634-8288

Fax: 715-638-3277

Toll Free Courthouse/General Information: 877-699-4110

Directory

## Conservation Documents

- Flood Elevation Report (PDF)
- Hydraulic Controls Evaluation (PDF)
- Hydraulic Design Feas Analysis (PDF)
- Outdoor Rec Plan 2014-2020 (PDF)
- Resource Management Plan 2017-2026 (PDF)
- Round Lake Water System (PDF)

- [Round Lake Watershed Project - 2012 \(PDF\)](#)



## CONTACT

Sawyer County Courthouse  
10610 Main Street  
Hayward, WI 54843  
Phone: 715-634-4866  
[Question? Click!](#)

## QUICK LINKS

[County Budget](#)  
[Election Information](#)  
[Employment Opportunities](#)  
[Sawyer County Fee Scale](#)

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## Conditional Use Permit Request STAFF REPORT

Prepared By: Jay Kozlowski, Sawyer County Zoning & Conservation Administrator

**File: # CUP 21-013**

**Applicant:**

Pinewood Properties LLC (Sisko's Resort)  
Adam Bodenschatz  
15437 County Hwy B  
Hayward, WI 54843



**Property Location & Legal Description:**

Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 total acres. Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Part of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Part NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; Approximately 16.21 total acres. All zoned Residential/Recreational One (RR-1). Site address of 8677N County Hwy CC. In conjunction with proposed RZN #21-005

**Request:** Add additional 37 campsites to an existing campground already containing 34 campsites. Total of 71 campsites including existing 8 rental cabins and existing Lodge/Entry

**Project History:**

See staff report from Rezone 21-005 for additional project history. The existing campground consisting of 34 seasonal sites and 8 rental dwelling units plus lodge would be considered existing non-conforming; in that it was in operation prior to zoning ordinance changes that would only allow for this type of operation with the RR-2 zone district.

Previously the owners/applicants had a request for a total of a 150 unit campground including land across Hwy CC. Ultimately that request was denied at the Town level and withdrawn prior to Zoning Committee. Since the previous CUP had no action taken upon it and was withdrawn by the applicant they would be able to reapply without having to wait 1 year before filing a new CUP as described in Section 8.0 of the Sawyer County Zoning Committee By-Laws.

**Summary of Request:**

The proposed 37 sites would be located in 2 separate areas as shown by the attached map delivered to our office by the applicant. The sites would be designated by a typical 36' x 60' site area including a 15' x 43' gravel pad, 18' x 18' gravel parking area, and a potential small shed area. Some of these sites will most likely be utilized by park model units but all will be independent sites with their own sewer, water and electric hook-up. With the proposed map

newly proposed sites would also meet the County Hwy CC setbacks and the 100' restrictive covenant bufferzone setbacks. There is a proposed driveway area inside of the 75' from HWY CC but driveway areas are not regulated in ordinance as long as there are outside of the Right-Of-Way.

Speaking specifically on the 100' restrictive covenants area in conversations with the DNR there appears to be pending violations/order for corrections relating to vegetation clearing areas and placement of existing campsites. This letter sent to the applicant and Sawyer County Zoning is still in a draft format and is awaiting confirmation between DNR and excel energy legal representation.

**Additional information for Conditional Use Permits:**

Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

If an applicant agrees to meets all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence. The conditions must be reasonable and, to the extent practicable, measurable. The applicant must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The county's decision to approve or deny the permit must be supported by substantial evidence.

**Possible Conditions for Approval: (choose from list below) (add or delete from list below)**

- 1 Must comply with Chapter ATCP 79 for Campground Regulations and all other applicable local, state or federal laws
- 2 No mobile homes allowed
- 3 All lighting must be downed lighting
- 4 Must follow all other requirement of Sawyer County Zoning Ordinance Section 6.6
- 5 A permanent manager or designee available 24 hours per day
- 6 No fireworks allowed
- 7 Quiet hours from 11 PM to 8 AM everyday
- 8 Must follow all DNR "pier planner" requirements for dock/pier placement.
- 9 Must comply with all other DNR restrictive covenant requirements prior to obtaining approval of CUP.
- 10 Comply with all Town requirements and conditions.

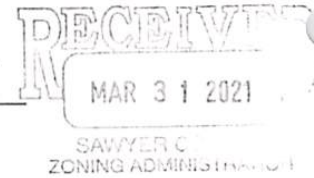
**Findings of Fact for Approval: (choose from list below)**

- 1 It would not be damaging to the rights of others or property values
- 2 It would not be detrimental to ecology, wild life, wetlands or shorelands.
- 3 It would not create an air quality, water supply, or pollution problem.
- 4 It would not create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.
- 5 It would not create traffic or highway access problems.
- 6 It would not destroy prime agricultural lands.
- 7 It would be compatible with the surrounding uses and the area.
- 8 It would not create an objectionable view.

**Findings of Fact for Denial: (choose from list below)**

- 9 It would be damaging to the rights of others and property values.
- 10 It would be detrimental to ecology, wild life, wetlands or shorelands.
- 11 It would create an air quality, water supply, or pollution problem.
- 12 It would create topographical problems such as run off, drainage, erosion, flooding, or vegetative cover removal.
- 13 It would create traffic or highway access problems.
- 14 It would destroy prime agricultural lands.
- 15 It would not be compatible with the surrounding uses and the area.
- 16 It would create an objectionable view.

Conditional Use Application # 21-013  
Town of Hunter  
Sawyer County



**Return Original**

To: Sawyer County Zoning & Conservation  
10610 Main Street, Suite #49  
Hayward, WI 54843

Phone: 715-634-8288  
Email: Kathy.marks@sawyercountygov.org

Owner: Pinewood Properties LLC  
Address: 15437 W County Rd. B Hayward, WI 54843  
Phone: 715-638-2345 Email: bodie@chequamegon.net  
Legacy PIN# 43575, 43574, 15224, + Zoned: RR1  
Partial 15227  
Acreage: 15.5 Approx.

Property Description: Existing Resort + Campground / RV Park (34 sites)

Permit desired for: Resort + Campground (71 sites) (34 existing + 37 new)

Pinewood Properties LLC (Adam Bodenschatz) 127  
\*Please Print & Sign (Property Owner)

The above hereby make application for a conditional use. The above certify that the listed information and intentions are true and correct. The above person(s) hereby give permission for access to the property for onsite inspections by Sawyer County Zoning staff.

Name, Address, Phone & Email of  
agent: \_\_\_\_\_

Fee \$ 350.00

Date of Public Hearing 5-21-2021

Rev. 1/2020

## Real Estate Sawyer County Property Listing

Today's Date: 4/5/2021

Property Status: Current

Created On: 2/6/2007 7:55:26 AM

 Description

Updated: 4/16/2020

|                          |                                    |
|--------------------------|------------------------------------|
| <b>Tax ID:</b>           | 15227                              |
| <b>PIN:</b>              | 57-012-2-40-07-14-2 04-000-000070  |
| <b>Legacy PIN:</b>       | 012740142407                       |
| <b>Map ID:</b>           | .8.7                               |
| <b>Municipality:</b>     | (012) TOWN OF HUNTER               |
| <b>STR:</b>              | S14 T40N R07W                      |
| <b>Description:</b>      | PRT SENW                           |
| <b>Recorded Acres:</b>   | 1.450                              |
| <b>Calculated Acres:</b> | 2.253                              |
| <b>Lottery Claims:</b>   | 0                                  |
| <b>First Dollar:</b>     | No                                 |
| <b>Waterbody:</b>        | Chippewa Flowage                   |
| <b>Zoning:</b>           | (RR1) Residential/Recreational One |
| <b>ESN:</b>              |                                    |

 Tax Districts

Updated: 2/6/2007

|        |                                   |
|--------|-----------------------------------|
| 1      | State of Wisconsin                |
| 57     | Sawyer County                     |
| 012    | Town of Hunter                    |
| 572478 | Hayward Community School District |
| 001700 | Technical College                 |

 Recorded Documents

Updated: 4/16/2020

|                                                                                                                              |                         |
|------------------------------------------------------------------------------------------------------------------------------|-------------------------|
|  <b>WARRANTY DEED</b>                      |                         |
| Date Recorded: 7/2/2019                                                                                                      | 418590                  |
|  <b>TERMINATION OF DECEDENTS INTEREST</b> |                         |
| Date Recorded: 11/9/2017                                                                                                     | 409697                  |
|  <b>CORRECTION INSTRUMENT</b>             |                         |
| Date Recorded: 6/3/2016                                                                                                      | 401352                  |
|  <b>CONVEYANCE RECORDED NOT USED</b>      |                         |
| Date Recorded: 3/21/2016                                                                                                     | 400308                  |
|  <b>QUIT CLAIM DEED</b>                   |                         |
| Date Recorded: 4/7/2000                                                                                                      | 281244 429/203 QCD702/7 |
|  <b>WARRANTY DEED</b>                     |                         |
| Date Recorded: 1/19/1989                                                                                                     | 212468                  |

 Ownership

Updated: 7/30/2019

|                                |                   |
|--------------------------------|-------------------|
| <b>PINEWOOD PROPERTIES LLC</b> | <b>HAYWARD WI</b> |
|--------------------------------|-------------------|

|                                |                                |
|--------------------------------|--------------------------------|
| <b>Billing Address:</b>        | <b>Mailing Address:</b>        |
| <b>PINEWOOD PROPERTIES LLC</b> | <b>PINEWOOD PROPERTIES LLC</b> |
| 15437 COUNTY HWY B             | 15437 COUNTY HWY B             |
| HAYWARD WI 54843               | HAYWARD WI 54843               |

 Site Address \* Indicates Private Road

N/A

 Property Assessment

Updated: 9/26/2016

**2021 Assessment Detail**

| Code          | Acres | Land   | Imp. |
|---------------|-------|--------|------|
| G2-COMMERCIAL | 1.450 | 68,500 | 0    |

| 2-Year Comparison | 2020   | 2021   | Change |
|-------------------|--------|--------|--------|
| <b>Land:</b>      | 68,500 | 68,500 | 0.0%   |
| <b>Improved:</b>  | 0      | 0      | 0.0%   |
| <b>Total:</b>     | 68,500 | 68,500 | 0.0%   |

 Property History

N/A

## Real Estate Sawyer County Property Listing

Today's Date: 4/5/2021

Property Status: Current

Created On: 2/6/2007 7:55:26 AM

| Description              | Updated: 4/16/2020                 |
|--------------------------|------------------------------------|
| <b>Tax ID:</b>           | 15224                              |
| <b>PIN:</b>              | 57-012-2-40-07-14-2 04-000-000040  |
| <b>Legacy PIN:</b>       | 012740142404                       |
| <b>Map ID:</b>           | .8.4                               |
| <b>Municipality:</b>     | (012) TOWN OF HUNTER               |
| <b>STR:</b>              | S14 T40N R07W                      |
| <b>Description:</b>      | PRT SENW                           |
| <b>Recorded Acres:</b>   | 2.860                              |
| <b>Calculated Acres:</b> | 2.184                              |
| <b>Lottery Claims:</b>   | 0                                  |
| <b>First Dollar:</b>     | No                                 |
| <b>Waterbody:</b>        | Chippewa Flowage                   |
| <b>Zoning:</b>           | (RR1) Residential/Recreational One |
| <b>ESN:</b>              |                                    |

| Tax Districts | Updated: 2/6/2007                 |
|---------------|-----------------------------------|
| 1             | State of Wisconsin                |
| 57            | Sawyer County                     |
| 012           | Town of Hunter                    |
| 572478        | Hayward Community School District |
| 001700        | Technical College                 |

| * Recorded Documents                     | Updated: 4/16/2020      |
|------------------------------------------|-------------------------|
| <b>WARRANTY DEED</b>                     |                         |
| Date Recorded: 7/2/2019                  | 418590                  |
| <b>TERMINATION OF DECEDENTS INTEREST</b> |                         |
| Date Recorded: 11/9/2017                 | 409697                  |
| <b>CORRECTION INSTRUMENT</b>             |                         |
| Date Recorded: 6/3/2016                  | 401352                  |
| <b>CONVEYANCE RECORDED NOT USED</b>      |                         |
| Date Recorded: 3/21/2016                 | 400308                  |
| <b>QUIT CLAIM DEED</b>                   |                         |
| Date Recorded: 4/7/2000                  | 783244 429/203 QCD702/7 |
| <b>WARRANTY DEED</b>                     |                         |
| Date Recorded: 1/19/1989                 | 212468                  |

| Ownership                      | Updated: 7/30/2019 |
|--------------------------------|--------------------|
| <b>PINEWOOD PROPERTIES LLC</b> | HAYWARD WI         |

| Billing Address:               | Mailing Address:               |
|--------------------------------|--------------------------------|
| <b>PINEWOOD PROPERTIES LLC</b> | <b>PINEWOOD PROPERTIES LLC</b> |
| 15437 COUNTY HWY B             | 15437 COUNTY HWY B             |
| HAYWARD WI 54843               | HAYWARD WI 54843               |

**Site Address** \* indicates Private Road

N/A

| Property Assessment | Updated: 9/26/2016 |
|---------------------|--------------------|
|---------------------|--------------------|

**2021 Assessment Detail**

| Code          | Acres | Land   | Imp. |
|---------------|-------|--------|------|
| G2-COMMERCIAL | 2.860 | 58,200 | 0    |

| 2-Year Comparison | 2020   | 2021   | Change |
|-------------------|--------|--------|--------|
| <b>Land:</b>      | 58,200 | 58,200 | 0.0%   |
| <b>Improved:</b>  | 0      | 0      | 0.0%   |
| <b>Total:</b>     | 58,200 | 58,200 | 0.0%   |

**Property History**

N/A

## Real Estate Sawyer County Property Listing

Today's Date: 4/5/2021

Property Status: Current

Created On: 6/19/2019 8:47:14 AM

| Description                                                            | Updated: 6/19/2019 |
|------------------------------------------------------------------------|--------------------|
| <b>Tax ID:</b> 43574                                                   |                    |
| <b>PIN:</b> 57-012-2-40-07-14-2 04-000-000140                          |                    |
| <b>Legacy PIN:</b> 012740142414                                        |                    |
| <b>Map ID:</b>                                                         |                    |
| <b>Municipality:</b> (012) TOWN OF HUNTER                              |                    |
| <b>STR:</b> S14 T40N R07W                                              |                    |
| <b>Description:</b> PRT SENW, PRT NESW, PRT NWSE LOT 1 CSM 36/43 #8376 |                    |
| <b>Recorded Acres:</b> 10.940                                          |                    |
| <b>Calculated Acres:</b> 0.000                                         |                    |
| <b>Lottery Claims:</b> 0                                               |                    |
| <b>First Dollar:</b> Yes                                               |                    |
| <b>Waterbody:</b> Chippewa Flowage                                     |                    |
| <b>Zoning:</b> (RR1) Residential/Recreational One                      |                    |
| <b>ESN:</b> 443                                                        |                    |

| Tax Districts | Updated: 6/19/2019                |
|---------------|-----------------------------------|
| 1             | State of Wisconsin                |
| 57            | Sawyer County                     |
| 012           | Town of Hunter                    |
| 572478        | Hayward Community School District |
| 001700        | Technical College                 |

| Recorded Documents                       | Updated: 7/30/2019 |
|------------------------------------------|--------------------|
| <b>WARRANTY DEED</b>                     |                    |
| Date Recorded: 7/2/2019                  | 418590             |
| <b>CERTIFIED SURVEY MAP</b>              |                    |
| Date Recorded: 6/10/2019                 | 418155             |
| <b>TERMINATION OF DECEDENTS INTEREST</b> |                    |
| Date Recorded: 11/9/2017                 | 409697             |
| <b>CORRECTION INSTRUMENT</b>             |                    |
| Date Recorded: 6/3/2016                  | 401352             |
| <b>CONVEYANCE RECORDED NOT USED</b>      |                    |
| Date Recorded: 3/21/2016                 | 400308             |

| Ownership                      | Updated: 7/30/2019 |
|--------------------------------|--------------------|
| <b>PINEWOOD PROPERTIES LLC</b> | HAYWARD WI         |

| Billing Address:               | Mailing Address:               |
|--------------------------------|--------------------------------|
| <b>PINEWOOD PROPERTIES LLC</b> | <b>PINEWOOD PROPERTIES LLC</b> |
| 15437 COUNTY HWY B             | 15437 COUNTY HWY B             |
| HAYWARD WI 54843               | HAYWARD WI 54843               |

| Site Address               | * indicates Private Road |
|----------------------------|--------------------------|
| <b>8677N COUNTY HWY CC</b> | HAYWARD 54843            |



Property Assessment

Updated: 7/9/2020

2021 Assessment Detail

| Code          | Acres  | Land    | Imp.    |
|---------------|--------|---------|---------|
| G2-COMMERCIAL | 10.940 | 728,900 | 210,600 |

| 2-Year Comparison | 2020    | 2021    | Change |
|-------------------|---------|---------|--------|
| <b>Land:</b>      | 728,900 | 728,900 | 0.0%   |
| <b>Improved:</b>  | 210,600 | 210,600 | 0.0%   |
| <b>Total:</b>     | 939,500 | 939,500 | 0.0%   |

| Property History                  |        |
|-----------------------------------|--------|
| <b>Parent Properties</b>          | Tax ID |
| 57-012-2-40-07-14-2 04-000-000130 | 43573  |

HISTORY ☐ Expand All History White=Current Parcels Pink=Retired Parcels

- ☒ Tax ID: 15241 Pin: 57-012-2-40-07-14-4 02-000-000020 Leg. Pin: 012740144202 Map ID: 14.2
- ☒ Tax ID: 15232 Pin: 57-012-2-40-07-14-3 01-000-000020 Leg. Pin: 012740143102 Map ID: 9.2
- ☒ Tax ID: 15225 Pin: 57-012-2-40-07-14-2 04-000-000050 Leg. Pin: 012740142405 Map ID: 8.5
- ☒ Tax ID: 15222 Pin: 57-012-2-40-07-14-2 04-000-000020 Leg. Pin: 012740142402 Map ID: 8.2
- ☒ Tax ID: 43573 Pin: 57-012-2-40-07-14-2 04-000-000130 Leg. Pin: 012740142413

43574 This Parcel ↑ Parents ↓ Children

## Real Estate Sawyer County Property Listing

Today's Date: 4/5/2021

Property Status: Current

Created On: 6/19/2019 8:47:16 AM

| Description              | Updated: 7/31/2020                                        |
|--------------------------|-----------------------------------------------------------|
| <b>Tax ID:</b>           | 43575                                                     |
| <b>PIN:</b>              | 57-012-2-40-07-14-4 02-000-000040                         |
| <b>Legacy PIN:</b>       | 012740144204                                              |
| <b>Map ID:</b>           |                                                           |
| <b>Municipality:</b>     | (012) TOWN OF HUNTER                                      |
| <b>STR:</b>              | S14 T40N R07W                                             |
| <b>Description:</b>      | PRT NWSE LOT 2 CSM 36/43 #8376<br>SISKO FAMILY TRUST - LC |
| <b>Recorded Acres:</b>   | 0.990                                                     |
| <b>Calculated Acres:</b> | 0.000                                                     |
| <b>Lottery Claims:</b>   | 0                                                         |
| <b>First Dollar:</b>     | No                                                        |
| <b>Waterbody:</b>        | Chippewa Flowage                                          |
| <b>Zoning:</b>           | (RR1) Residential/Recreational One                        |
| <b>ESN:</b>              | 443                                                       |

| Tax Districts | Updated: 6/19/2019                |
|---------------|-----------------------------------|
| 1             | State of Wisconsin                |
| 57            | Sawyer County                     |
| 012           | Town of Hunter                    |
| 572478        | Hayward Community School District |
| 001700        | Technical College                 |

| Recorded Documents                                                           | Updated: 7/31/2020 |
|------------------------------------------------------------------------------|--------------------|
| <input checked="" type="checkbox"/> <b>LAND CONTRACT</b>                     |                    |
| Date Recorded: 6/30/2020                                                     | 424755             |
| <input checked="" type="checkbox"/> <b>CERTIFIED SURVEY MAP</b>              |                    |
| Date Recorded: 6/10/2019                                                     | 418155             |
| <input checked="" type="checkbox"/> <b>TERMINATION OF DECEDENTS INTEREST</b> |                    |
| Date Recorded: 11/9/2017                                                     | 409697             |
| <input checked="" type="checkbox"/> <b>CORRECTION INSTRUMENT</b>             |                    |
| Date Recorded: 6/3/2016                                                      | 401352             |
| <input checked="" type="checkbox"/> <b>CONVEYANCE RECORDED NOT USED</b>      |                    |
| Date Recorded: 3/21/2016                                                     | 400308             |

HISTORY ☒ Expand All History White=Current Parcels Pink=Retired Parcels

- ☒ Tax ID: 15241 Pin: 57-012-2-40-07-14-4 02-000-000020 Leg. Pin: 012740144202 Map ID: 14.2
  - ☒ Tax ID: 15232 Pin: 57-012-2-40-07-14-3 01-000-000020 Leg. Pin: 012740143102 Map ID: 9.2
  - ☒ Tax ID: 15225 Pin: 57-012-2-40-07-14-2 04-000-000050 Leg. Pin: 012740142405 Map ID: 8.5
  - ☒ Tax ID: 15222 Pin: 57-012-2-40-07-14-2 04-000-000020 Leg. Pin: 012740142402 Map ID: 8.2
  - ☒ Tax ID: 43573 Pin: 57-012-2-40-07-14-2 04-000-000130 Leg. Pin: 012740142413
- 43575 This Parcel ↑ Parents ↓ Children

| Ownership                      | Updated: 7/31/2020 |
|--------------------------------|--------------------|
| <b>PINEWOOD PROPERTIES LLC</b> | HAYWARD WI         |

| Billing Address:                                                         | Mailing Address:                                                         |
|--------------------------------------------------------------------------|--------------------------------------------------------------------------|
| <b>PINEWOOD PROPERTIES LLC</b><br>15437 COUNTY HWY B<br>HAYWARD WI 54843 | <b>PINEWOOD PROPERTIES LLC</b><br>15437 COUNTY HWY B<br>HAYWARD WI 54843 |

Site Address \* Indicates Private Road

N/A

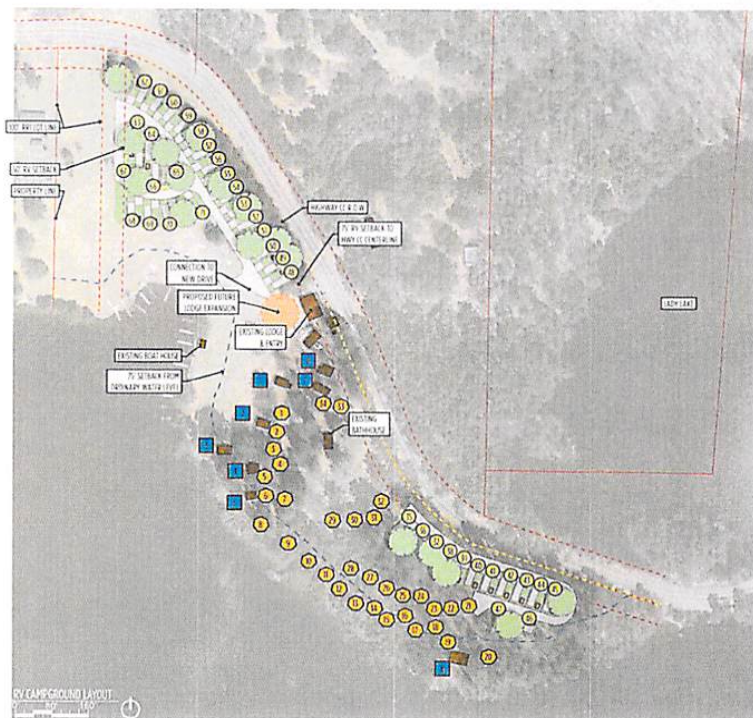
| Property Assessment | Updated: 7/9/2020 |
|---------------------|-------------------|
|---------------------|-------------------|

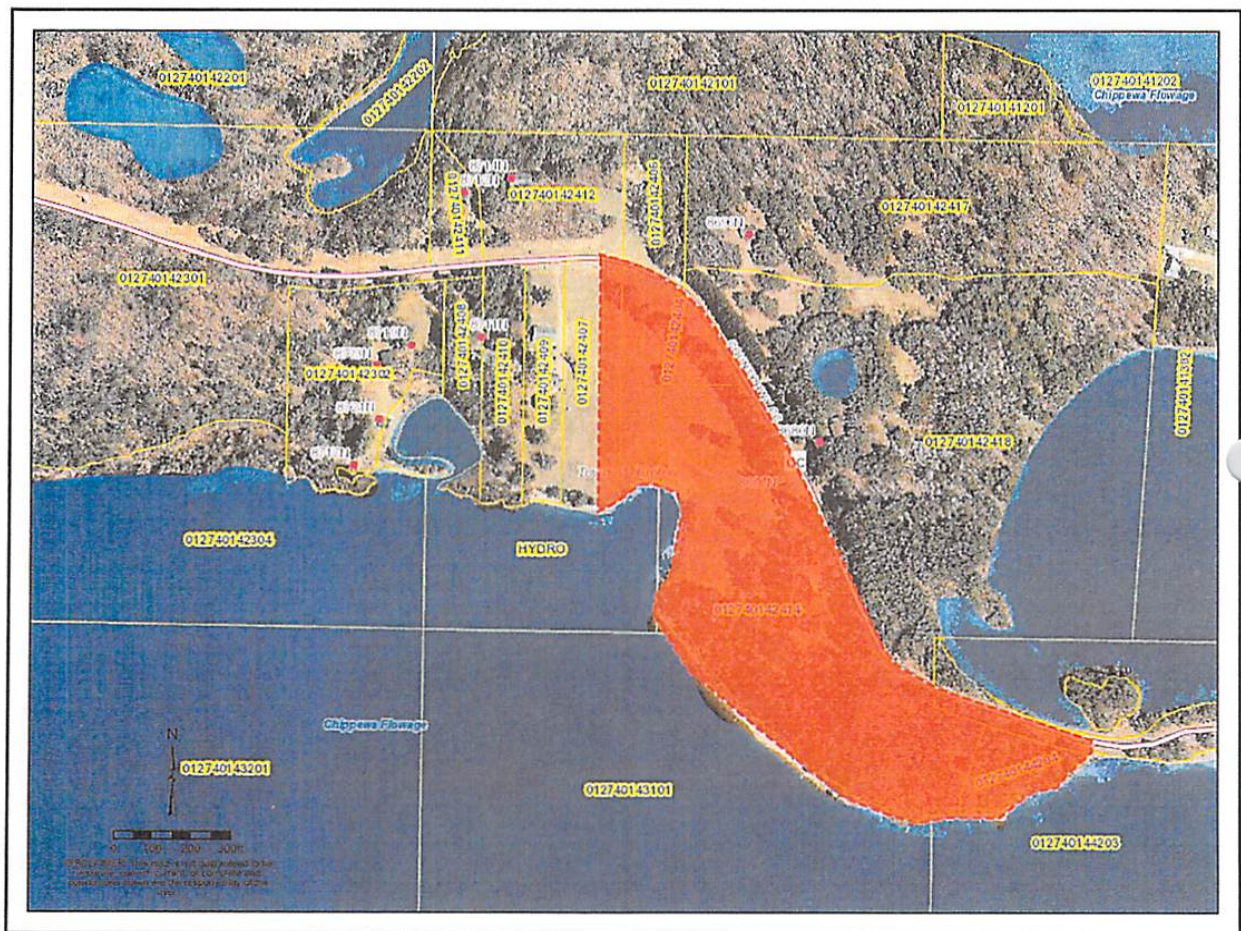
| 2021 Assessment Detail |       |         |      |
|------------------------|-------|---------|------|
| Code                   | Acres | Land    | Imp. |
| G2-COMMERCIAL          | 0.990 | 143,600 | 0    |

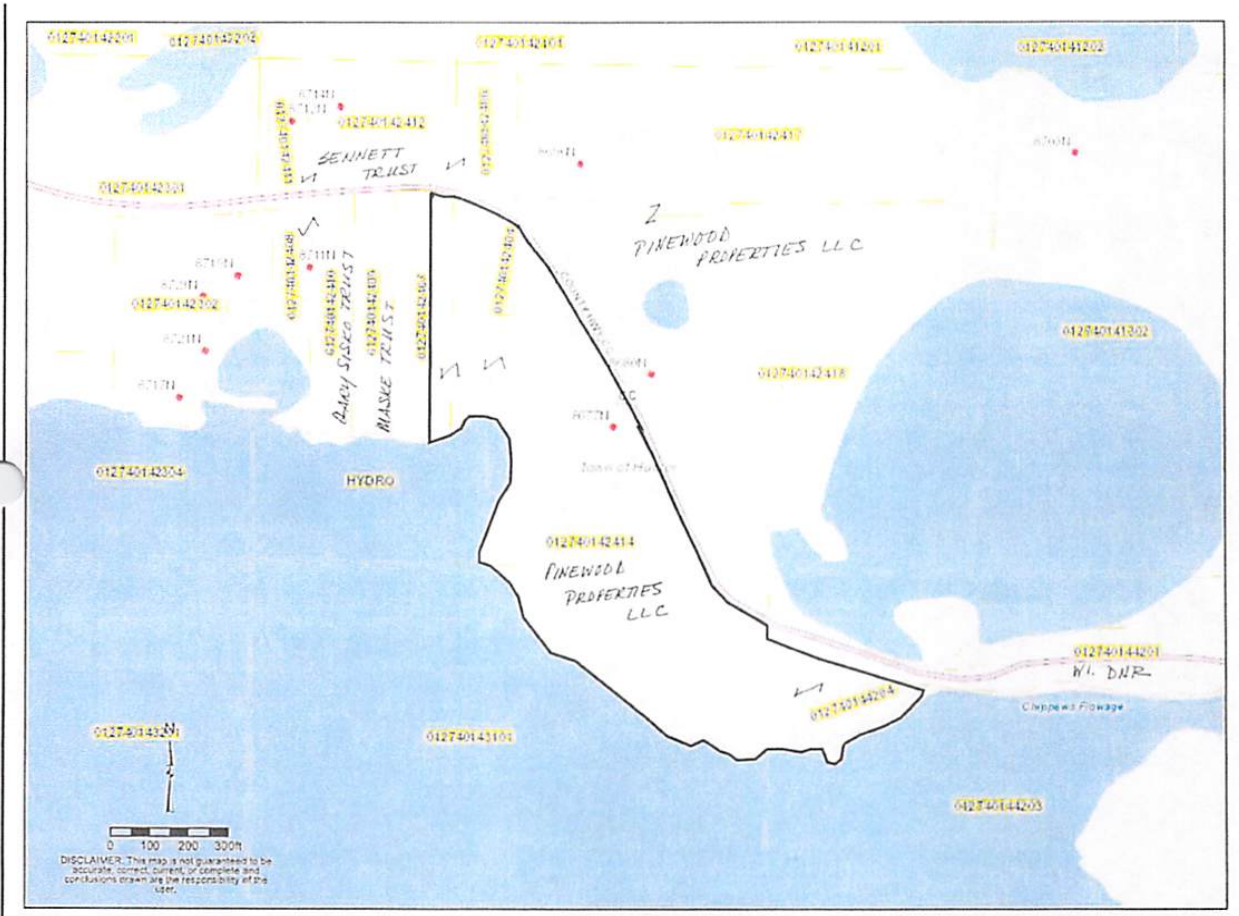
| 2-Year Comparison | 2020    | 2021    | Change |
|-------------------|---------|---------|--------|
| <b>Land:</b>      | 143,600 | 143,600 | 0.0%   |
| <b>Improved:</b>  | 0       | 0       | 0.0%   |
| <b>Total:</b>     | 143,600 | 143,600 | 0.0%   |

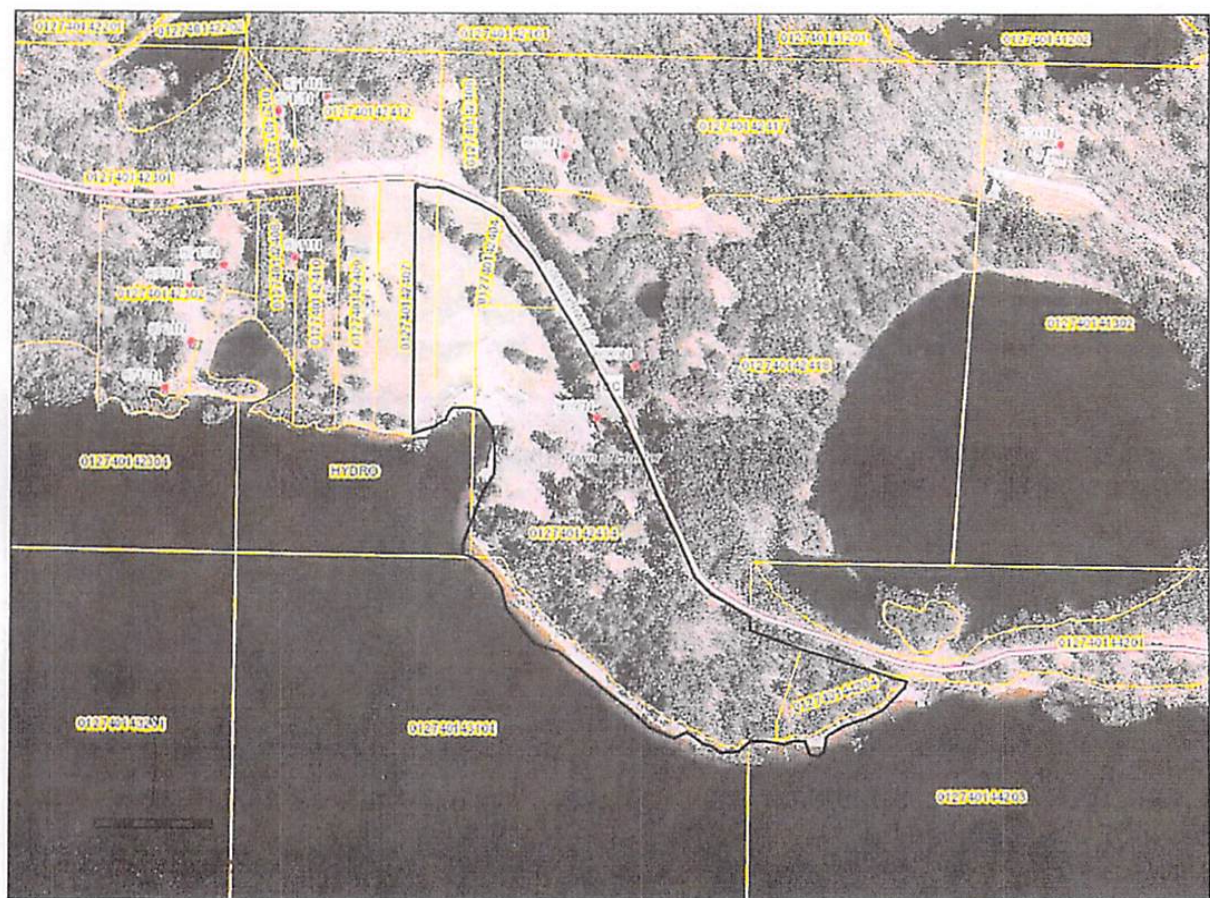
## Property History

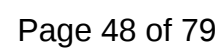
| Parent Properties                 | Tax ID |
|-----------------------------------|--------|
| 57-012-2-40-07-14-2 04-000-000130 | 43573  |

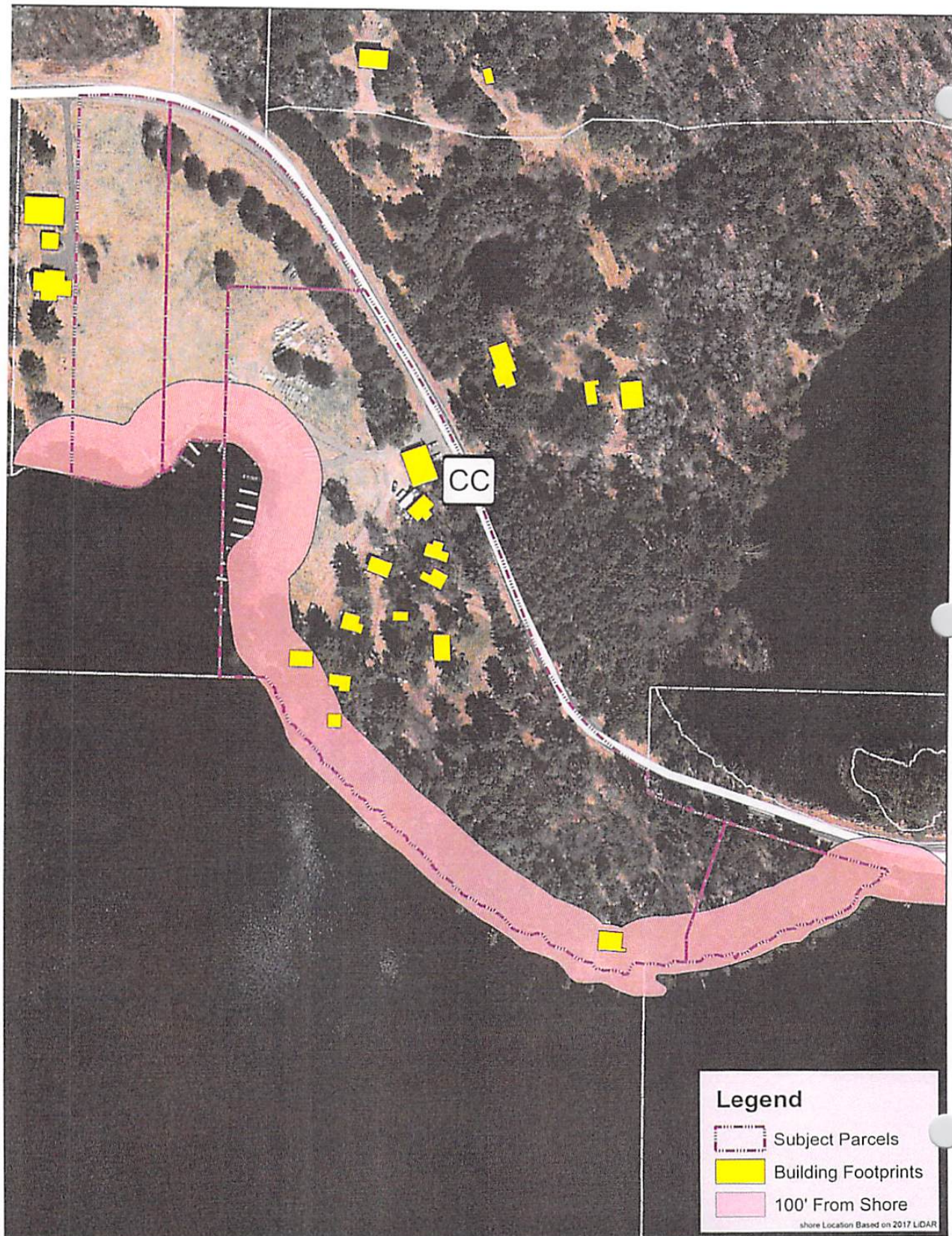














State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7821  
Madison WI 53707-7921

Tony Evers, Governor  
Preston D. Cole, Secretary  
Telephone 608-286-2821  
Toll Free 1-888-938-7463  
TTY Access via relay - 711



March 10, 2021

Sawyer County Zoning and Conservation Office  
10610 Main Street, Suite 49  
Hayward WI 54843

Subject: CUP #20-022 and RZN #20-010 Review

Dear Sawyer County Zoning and Conservation Department:

The Department of Natural Resources (WDNR) has reviewed the rezone application (#20-010) and conditional use application (#20-022) submitted to Sawyer County by Pinewood Properties LLC. Portions of the described property are encumbered by covenant restrictions, which were recorded on January 19<sup>th</sup>, 1989 in Volume 429, Pages 203-207, Sawyer County Register of Deeds, a copy of which is attached to this letter. The covenants prohibit filling, grading, placement of structures, and cutting of native vegetation within the 100-foot buffer zone with limited exceptions. There are additional restrictions that extend up to 1,000-feet landward from the shoreline that limit the color and height of structures. It is the responsibility of the landowner to ensure that any development of the property is not done in violation of these covenants, and it is the responsibility of the WDNR to enforce the covenants.

The plot plans submitted as part of the conditional use application show proposed development near a 75-foot buffer along the shoreline of the Chippewa Flowage, which would be in violation of the above described covenants if within 100-feet of the shoreline. Specifically, portions of the proposed RV site development located in the NW ¼ of the SW ¼, T40N, R07W, S14 appear to be located within the 100-foot buffer zone. It is recommended that the plans be updated or further clarified to show that the proposed work will not be in violation of the covenant restrictions. Additionally, the proposed future lodge expansion would need to comply with the building requirements that extend up to 1,000-feet landward.

This information is being provided to ensure that the covenant restrictions are adhered to, not as an opinion regarding the rezons request. Please feel free to contact me with any questions at 715-712-4511 or [Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov).

Sincerely,

*Peter B. Wolter*  
Pete Wolter  
District Real Estate Supervisor

**This Indenture** Made by **NORTHERN STATES POWER COMPANY**

, a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, grantor, of Eau Claire County, Wisconsin, hereby conveys and warrants to Steve R. Sisko and Angeline C. Sisko, husband and wife as survivorship marital property

granteeS, of Sawyer County, Wisconsin, for the sum of One dollar and other valuable consideration (\$1.00)

the following tract of land in Sawyer County, State of Wisconsin:

Parts of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , and NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 14, T40N-R7W, Town of Hunter, Sawyer County, WI more fully described on Page 2 attached hereto and made a part hereof.

Excepting, saving and reserving to Grantor, its successors and assigns, the perpetual right, privilege and easement to flow, flood and overflow, to elevation 1315.0 NGVD (1929) on any and all portions of the lands herein conveyed.

This conveyance is subject to the Covenant and Option to Purchase described on Pages 3, 4, and 5 attached hereto and made a part hereof, as well as any other covenants, easements and reservations of record.

Register's Office  
Sawyer County  
Received for record the 19 day of  
January A.D. 1989 at 2:24  
P.M. and recorded in vol.  
of Records on page 203-207  
S. J. Smith  
Register

TRANSFER  
\$ 123.02  
FEE

In Witness Whereof, the said grantor has caused these presents to be signed by Anthony G. Schuster, its Vice President and countersigned by Elizabeth L. Grahek, its Secretary, at Eau Claire, Wisconsin, and its corporate seal to be hereto affixed, this 9th day of January, A.D., 1989.

Signed and Sealed in Presence of

NORTHERN STATES POWER COMPANY

Anthony G. Schuster  
Vice President  
Elizabeth L. Grahek  
Assistant Secretary  
Elizabeth L. Grahek

State of Wisconsin,  
Eau Claire County.

Personally came before me this 9th day of January, A.D., 1989.

Anthony G. Schuster, Vice President, and Elizabeth L. Grahek, Ass't Secretary

of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Vice President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the Act of said Corporation, by its authority.



Harold J. Peterson  
Notary Public, Eau Claire County, Wis.  
My Commission expires Nov. 17, 1991.

Drafted by Harold J. Peterson

VOL 429 PG 208

-2-

**LAND DESCRIPTION**

All that part of the SE 1/4 of the NW 1/4, NE 1/4 of the SW 1/4 and NW 1/4 of the SE 1/4 of Section 14, Township 40 North, Range 7 West, Town of Hunter, Sawyer County, Wisconsin described as follows:

The east 110 feet of the west 250 feet and the east 150 feet of the west 500 feet of the SE 1/4 of NW 1/4, lying southerly of the centerline of County Trunk Highway "CC" as the same is now laid out, constructed and traveled; and,

Also, beginning at a point on the shoreline of Chippewa Flowage which point is 500 feet due east of the west line of said SE 1/4 of NW 1/4; thence north parallel to the said west line and run to the southerly boundary line of the right-of-way of County Trunk Highway "CC"; thence following said right-of-way line in southeasterly direction to a point 40 rods north of the south line of said SE 1/4 of NW 1/4; thence west parallel to the north line of said SE 1/4 of NW 1/4 to a point 600 feet due east of the west line of the SE 1/4 of NW 1/4; thence south parallel to the west line of the SE 1/4 of NW 1/4 to the shoreline of the Chippewa Flowage; thence southwesterly and westerly along said shoreline to the point of beginning, and,

also,

All that part of the NE 1/4 of the SW 1/4 lying above elevation 1313', NGVD, (1929), and northerly from the north flowage line of the Chippewa Reservoir Flowage, and,

also,

All that part of the west 400 feet of the NW 1/4 of the SE 1/4 lying above elevation 1313', NGVD, (1929), and south of the south right-of-way line of County Trunk Highway "CC" as the same is now laid out, constructed and traveled.

0608hjp2

**VOL 429 PG 204**

**Buffer Zone Covenant:**

This property is subject to a buffer zone the width of which shall be a 100-foot horizontal distance landward from the shoreline above elevation 1,313 mean sea level as measured perpendicular to the lakeshore. Filling, grading, placement of structures and cutting of native vegetation within the buffer zone is prohibited, except as provided below:

1. Piers may be constructed for the owner's own use or for use associated with an on-site business. Piers may include a temporary boat hoist without roof or walls.
2. Signs associated with or required for a water-oriented use are allowed but shall not exceed 16 square feet in area.
3. Native shrubbery and dead and dying trees may be cut and ground vegetation may be moved to provide a water access corridor. Access corridors shall not exceed 30 feet in width for any 100 feet of shoreline. Sufficient native tree seedlings shall be maintained or native tree species planted in the access corridor to maintain a wooded canopy.
4. The placement of natural appearing rock or gravel to prevent erosion is allowed. This may include graveled walkways or rock riprap shoreline protection subject to DNR permit requirements.
5. Native shrubbery and dead and dying trees may be cut and ground vegetation may be moved up to a horizontal distance of twenty-five feet inside the landward boundary of the buffer zone to permit a yard. Sufficient native tree seedlings shall be maintained or native tree species planted in the yard to maintain a wooded canopy.

The exterior color of all structures including roofs, signs and decks, or other structures which may be located within or outside of the buffer zone shall be natural wood and earth tone color. No structure shall exceed thirty-five (35) feet in height. The restrictions imposed by the preceding two sentences shall apply to the subject property up to one thousand foot landward from the shoreline. Existing structures or uses which are not in compliance with these covenants and restrictions are allowed to continue; however, at such time as any structure is moved, repainted, or replaced, it shall be brought into compliance.

Except as provided below, if at any time any of the foregoing covenants and restrictions are violated, this property shall revert to and revert in the grantor without necessity of re-entry, its successors or assigns unless, within ninety (90) days after receipt of written notice of such violation from the Wisconsin Department of Natural Resources, the violator removes or corrects such violation.

**WOL429 PG205**

The reversionary provisions of the preceding sentence shall not take effect if during the ninety (90) day period the Wisconsin Department of Natural Resources establishes terms and conditions under which the violation shall be removed or corrected and the violator agrees in writing to remove or correct the violation in accordance with such terms and conditions. If the violator fails to remove or correct the violation in accordance with the terms and conditions established by the Wisconsin Department of Natural Resources, the property shall revert to and re-vest in the grantor without necessity of re-entry upon written notification to the violator by the Wisconsin Department of Natural Resources that such failure occurred.

The above covenants and restrictions may be modified or varied only if future circumstances and the public interest justify such modifications and upon joint written approval of the Wisconsin Department of Natural Resources and the grantor.

This property is also subject to the duly enacted zoning ordinance of Sawyer County. The foregoing covenants and restrictions do not supersede or replace the Sawyer County zoning ordinances, except to the extent that they impose greater limitations or more restrictions than those imposed by the zoning ordinance, in which case the foregoing covenants and restrictions shall control.

0608hjp2

VOL429 PG206

**OPTION TO PURCHASE.** In the event Grantee desires to offer the subject property (or any part thereof) for sale, Grantee shall notify the Wisconsin Department of Natural Resources (DNR) in writing (addressed to Secretary, Wisconsin Department of Natural Resources, P.O. Box 7921, Madison, WI 53707) of Grantee's intention to sell the property and shall state a price therefore. In the event the subject property is offered for sale in conjunction with other property, the whole parcel being offered will be considered in the first right to purchase. The DNR shall then have 45 days from the date of receipt of said notice to exercise its right to purchase said property by notifying Grantee in writing of its intent to purchase the property for the price stated.

If the DNR wishes to purchase the property, but not for the price stated, it shall notify Grantee in writing of same within 45 days of receipt of Grantee's notice, and it shall provide the Grantee with a full narrative appraisal of the property by a qualified appraiser within 90 days of receipt of Grantee's notice of desire to sell. In making the appraisal the appraiser shall confer with the Grantee, if possible. Upon receipt of the DNR's appraisal, the Grantee may elect to sell the property to the DNR for the price stated therein. If said price is not acceptable to the Grantee, the Grantee shall within 60 days of receipt of the DNR's appraisal obtain an appraisal by a qualified appraiser of the property to be sold and provide a copy to the DNR. The parties shall then within 30 days attempt to negotiate a price for the property to be sold.

If after said 30 day period the Grantee and the DNR are unable to agree upon a price, the Grantee may then sell the subject property free and clear of all of the restrictions created by this Option to Purchase.

In the event the DNR fails to notify Grantee in writing within the time stated of its exercise of its option to purchase the property, Grantee shall be free to sell the property to a third party at any time during the one-year period following the expiration of said time period; provided, however, that any purchaser of the property, as well as any successor to or heir of Grantee, shall take the property subject to all of the terms and conditions set forth above, as the rights granted the DNR herein shall be construed to be covenants running with the property, until said time as they are released in writing by the DNR.

In the event of any conveyance by Grantee to the DNR, the following conditions shall apply:

A. The DNR shall pay the cost of all appraisals required herein.

B. The DNR's obligation to purchase the property to be sold shall be subject to the approval of the Wisconsin Natural Resources Board and the Governor of the State of Wisconsin.

Vol. 429 PG 207

option/peterson

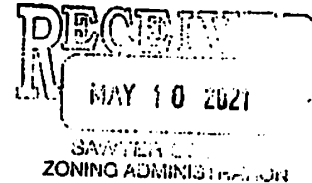
State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7821  
Madison WI 53707-7821

Tony Evers, Governor  
Preston D. Cole, Secretary  
Telephone 608-286-2621  
Toll Free 1-888-938-7483  
TTY Access via relay - 711



May 6, 2021

Adam Bodenschatz  
Sisko's Pine Point Resort  
8677 N County Rd CC  
Hayward, WI 54843



Subject: Chippewa Flowage Covenant Violations

Dear Mr. Bodenschatz:

Wisconsin Department of Natural Resources (WDNR) staff along with Town of Hunter visited your property at 8677N County Rd CC in the Town of Hunter, Sawyer County, Wisconsin on April 30, 2021 in response to observed clearing/grading and placement of structures on the property. This property is encumbered by 100-foot buffer zone covenant restrictions as recorded in the Sawyer County Register of Deeds office in Volume 429 Deeds, Page 203-207, a copy of which has been included with this letter for your reference. During the visit WDNR identified violations of these covenants.

The ground disturbance that has occurred on the southeastern portion of the property is in excess of the allotted 30-foot-wide access corridor described on Page 156, item 3 of the covenants: *"Native shrubbery and dead and dying trees may be cut and ground vegetation may be moved to provide a water access corridor. Access corridors shall not exceed 30 feet in width for any 100 feet of shoreline. Sufficient native tree seedlings shall be maintained, or native tree species planted in the access corridor to maintain a wooded canopy."* The DNR documented this work being done inside of the 100-foot buffer zone with covenant restrictions and found that this grading/clearing was in excess of the allotted 30 feet for any 100 feet of shoreline.

Additionally, new structures were observed on the property on April 30. These structures were said to be placed last year by the property owner and were found to be within the 100 foot buffer zone restrictions, these structures are in violation of the covenants as described on Page 205 in both the first paragraph and second paragraph: *"Filling, grading, placement of structures and cutting native vegetation within the buffer zone is prohibited (exceptions 1-5 listed after this statement)."* *"Existing structures or uses which are not in compliance with these covenants and restrictions are allowed to continue; however, at such time as any structure is moved, repainted, or replaced, it shall be brought into compliance."* This excerpt from the covenants on Page 205 would also hold true for the new electrical panels and water hookups found to have been newly installed on newly established sites 8-20, closest sites to the shoreline. This work was also said to be completed last year by the property owner. Any additional structures or sites that fall within the 100-foot buffer zone will need to be removed or moved and area restored accordingly. The exterior color and height restrictions documented in the covenants also need to be adhered to up to 1,000 feet landward and this can be found on Page 205, second paragraph: *"The exterior color of all structures including roofs, signs and decks, or other structures which may be located within or outside of the buffer zone shall be natural wood and earth tone color. No structures shall exceed (35) feet in height."*

This letter serves as your formal Notice of Violation concerning deed covenants. Under the terms and conditions set forth by the described covenants, a 90-day period has commenced under which the following terms and conditions for corrective action should be acknowledged by the owners, in writing, and corrected within the given timeframes.

The owners agree to:

- Immediately discontinue all clearing and grading outside of the allotted 30-foot access corridor.
- Within 90 days, plant sufficient *native* tree and shrub species in the cleared areas outside of the allotted 30-foot access corridor to restore a natural appearance within the 100-foot buffer zone.
- Within 90 days, remove all existing structures within the 100-foot buffer zone, except for those that were on site prior to the 1989 recording of the covenants.
- Within 90 days, remove all electric panels and water hookups that are found within the 100-foot buffer zone.

We hope to work with you through this process to assure the best possible outcome and to avoid further action regarding these covenant violations.

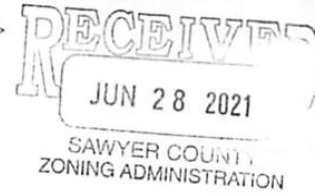
Please contact us with any questions that you may have.

Sincerely,

Kyle Marinoff  
Natural Resource Property Supervisor  
(715) 415-0297  
Kyle.Marinoff@wisconsin.gov

Kathy Marks

**From:** Marinoff, Kyle J - DNR <kyle.marinoff@wisconsin.gov>  
**Sent:** Monday, June 28, 2021 10:29 AM  
**To:** Laura Rusk  
**Cc:** Jay Kozlowski; Kathy Marks  
**Subject:** Sisko's Violation Letter  
**Attachments:** Violation Letter Final - Siskos.docx



Good morning,

Please see the violation letter that will be issued to the owner's of Sisko's Pine Point Resort this week. This letter has been reviewed, proofed and signed off by our DNR legal team as well as the folks from Xcel Energy. The Property Owners have been informed of what needs to be done in order to correct the violations and the deadline noted in the letter. The letter will be sent to the Property Owners this week and they will be providing a written letter in response in agreement to bring their property back into compliance. If there are any questions please let me know. I decided not to include all of the additional information and email communications that have gone on for the past several weeks on this property. Thanks!

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Kyle Marinoff**

Natural Resource Property Supervisor - Bureau of Parks & Recreation  
Wisconsin Department of Natural Resources  
Flambeau River State Forest/Chippewa Flowage/Tussock Trail  
Phone: (715) 332-5271 Ext. 103  
Cell Phone: (715) 415-0297  
[kyle.marinoff@wisconsin.gov](mailto:kyle.marinoff@wisconsin.gov)



State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 S. Webster Street  
Box 7921  
Madison WI 53707-7921

Tony Evers, Governor  
Preston D. Cole, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



June 23, 2021

Pinewood Properties, LLC  
d/b/a Sisko's Pine Point Resort  
c/o Adam Bodenschatz  
8677 N County Rd CC  
Hayward, WI 54843

**Subject: Notice of Chippewa Flowage Covenant Violations**

Dear Pinewood Properties, LLC:

Wisconsin Department of Natural Resources (WDNR) and Town of Hunter staff visited your property at 8677N County Rd CC in the Town of Hunter, Sawyer County, Wisconsin (the Property) on April 30, 2021 in response to observed clearing/grading and placement of structures on the Property. The Property is encumbered by 100-foot and 1000-foot buffer zone covenant restrictions (hereinafter Covenant) recorded in the Sawyer County Register of Deeds office in Volume 429 Deeds, Pages 203-207, and attached to this letter for your reference. During the visit, WDNR identified violations of the Covenant and determined that additional inspection was necessary. A follow up visit occurred on June 21, 2021, after the 100-foot buffer zone was professionally surveyed and marked. The following violations were identified and confirmed during that visit.

**Vegetation Clearing and Ground Disturbance**

The vegetation clearing and ground disturbance that has occurred on the southeastern portion of the Property is in excess of the allotted 30-foot-wide access corridor described in the Covenant, which provides:

*Filling, grading, placement of structures and cutting native vegetation within the buffer zone is prohibited . . . with an exception allowing that "Native shrubbery and dead and dying trees may be cut and ground vegetation may be mowed to provide a water access corridor. Access corridors shall not exceed 30 feet in width for any 100 feet of shoreline. Sufficient native tree seedlings shall be maintained, or native tree species planted in the access corridor to maintain a wooded canopy.*

Covenant, p. 205 (emphasis added). The DNR documented this work being done inside of the 100-foot buffer zone with covenant restrictions and found that this grading/clearing was in excess of the allotted 30 feet for any 100 feet of shoreline. The filling and grading primarily occurred underneath the structures placed on sites 8,9,10,11. There was gravel added under these structures as well.

**Prohibited Structures**

The Covenant requires that all structures within 1000 feet of the shore must be natural wood or painted earth tones, and it provides that they cannot exceed 35 feet in height. The Covenant allows existing structures located within the 100-foot buffer to remain unless they are moved, repainted or replaced – events that trigger the compliance with the Covenant. The Covenant further provides:

*Filling, grading, placement of structures and cutting native vegetation within the buffer zone is prohibited.*

with exceptions that allow for certain piers and signage. Covenant, p. 205 (emphasis added).

Structures that post-date the Covenant were observed on the Property within the 100-foot buffer zone restrictions on April 30 and new structures were also observed on June 21, in violation of the Covenant. All of the structures within the 100-foot buffer zone must be removed or moved and the ground beneath and around them must be restored accordingly.

This letter serves as your formal written **Notice of Violation** of the aforementioned Covenant restrictions. The Covenant provides that if violations are not removed or corrected within 90 days after receipt of this Notice, title to the property will revert to and revest in the grantor. By this letter and based on your assurance that all filling/grading/clearing and construction in the buffer area will immediately cease, the DNR agrees that you have until **10/15/2021** to correct the violations identified here. More specifically, it is our understanding that you agree to the following terms and deadlines:

You shall:

- Immediately discontinue all clearing and grading activities inside the 100-foot buffer zone.
- By 10/15/2021, plant *native* tree and shrub species in the cleared areas inside the 100-foot buffer zone, restore to a natural appearance and remove all gravel that has been added to the buffer zone.



*Example 1. Ground restoration needed*

- By 10/15/2021, remove all structures from the 100-foot buffer zone, except those that were on the Property prior to the 1989 recording of the Covenant and have not been moved or altered. These structures must comply with the exterior color and height restrictions referenced in paragraph 3.



*Example 1. Structure removal needed    Example 2. Additional Structure Removal Needed*

- Revert campsites located in the 100-foot buffer restriction back to transient use. This means that structures are not and will not be allowed on sites 8-15, 17 and 19-20.



Town of HunterConditional Use Application #21-013

Return to: Sawyer County Zoning & Conservation Administration  
10610 Main Street, Suite 49  
Hayward, Wisconsin 54843  
Attn: Kathy Marks  
E-mail: [kathy.marks@sawyercountygov.org](mailto:kathy.marks@sawyercountygov.org)

Owner: Pinewood Properties LLC  
15437W County Hwy B  
Hayward, WI 54843

Phone: 715-638-2345

Email: [bodie@cheqnet.net](mailto:bodie@cheqnet.net)

**Property Description:** Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE ¼ NW ¼, Part of the NE ¼ of the SW ¼, Part NW ¼ SE ¼ Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW ¼ of the SE ¼, Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1).

Permit desired for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This is CUP is subject to RZN #21-005 from RR-1 to RR-2. Discussion/Action.

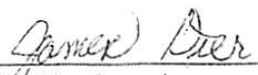
Public Hearing date will be May 21, 2021 at 8:30AM, Sawyer County Courthouse.

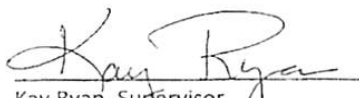
By Action of the Town Board, use is

CONDITIONALLY  
☒ Approved ☐ Tabled  
SEE ATTACHMENT 1

☐ Denied

  
Laura Rusk, Chairman

  
Jim Dier, Supervisor

  
Kay Ryan, Supervisor

**TOWN OF HUNTER  
ATTACHMENT 1**

The approval of Rezone request #21-005 and CUP for the addition of 37 new campsites is subject to the following conditions.

CUP shall not be issued until compliance with covenant violations is COMPLETE and VERIFIED by a written notice from WDNR and Xcel Energy.

Any sites removed or requiring restoration in the process of becoming compliant with the covenants shall not be relocated and will be taken from the total number of sites allowed. If 71 total sites are permitted and 10 are lost to compliance, only 61 total sites will be permitted.

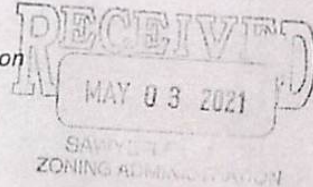
Owners and agents must comply with all Sawyer County ordinances and all other regulatory agencies as they relate to this expansion.

ANY request for removal or change to these conditions shall require Town of Hunter approval.

The applicant has stated acceptance of these conditions.



Sawyer County Zoning and Conservation Administration  
10610 Main Street, Suite #49 Hayward, Wisconsin 54843  
(715) 634-8288  
E-mail: [kathy.marks@sawyercountygov.org](mailto:kathy.marks@sawyercountygov.org)



**Conditional Use Application #21-013**

TO: Sawyer County Zoning & Conservation Administration  
10610 Main Street, Suite #49  
Hayward, WI 54843  
Attn: Kathy Marks

Owner: Pinewood Properties LLC  
15437W County Hwy B  
Hayward, WI 54843

Phone: 715-638-2345

Email: [bodie@cheqnet.net](mailto:bodie@cheqnet.net)

Property Description: Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE ¼ NW ¼, Part of the NE ¼ of the SW ¼, Part NW ¼ SE ¼ Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW ¼ of the SE ¼, Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1).

Permit desired for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This is CUP is subject to RZN #21-005 from RR-1 to RR-2. Discussion/Action.

**Public Hearing for this case will be heard on May 21, 2021 at 8:30am in the Sawyer County Courthouse**

As this could affect your neighborhood, we are asking your cooperation in filling out this questionnaire and returning it to us by May 17, 2021.

Your comments may be considered by the Zoning Committee in granting or denying the Conditional Use requested. Please use Substantial Evidence, described as: evidence of such convincing power that reasonable persons could reach the same decision as the local governmental entity, even if there is also substantial evidence to support the opposite decision. Reasonable inferences may be drawn from credible evidence. DO NOT PHOTO COPY THIS FORM FOR OTHERS.

I have no objections to this



I have objections to this

( )

Additional Comments:

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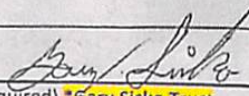
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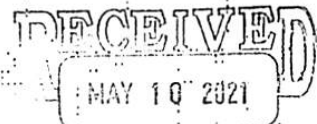
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GARY Sisko   
(Please Print and Sign; Only (1) signature required) Gary Sisko Trust  
You may scan and email this to the above address.



SAWYER COUNTY  
ZONING ADMINISTRATION

**Sawyer County Zoning and Conservation Administration**

10510 Main Street, Suite #49 · Hayward, Wisconsin 54843  
(715) 634-8288

E-mail: [kathy.marks@sawyercountygov.org](mailto:kathy.marks@sawyercountygov.org)

**Conditional Use Application #215013**

TO: Sawyer County Zoning & Conservation Administration  
10510 Main Street, Suite #49  
Hayward, WI 54843  
Attn: Kathy Marks

Owner: Pinewood Properties LLC  
15437 W County Hwy B  
Hayward, WI 54843

Phone: 715-638-2345

Email: [bpdl@cheqnet.net](mailto:bpdl@cheqnet.net)

**Property Description:** Part of the SE 1/4 of the NW 1/4; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE 1/4 of the NW 1/4; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE 1/4 NW 1/4, Part of the NE 1/4 of the SW 1/4, Part NW 1/4 SE 1/4 Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW 1/4 of the SE 1/4, Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1).

Permit desired for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This is CUP is subject to RZN #21-005 from RR-1 to RR-2. Discussion/Action.

**Final Hearing on this case will be held on May 21, 2021 at 10am in the Sawyer County Courthouse**

As this could affect your neighborhood, we are asking your cooperation in filling out this questionnaire and returning it to us by May 17, 2021.

Your comments may be considered by the Zoning Committee in granting or denying the Conditional Use requested. Please use Substantial Evidence, described as: evidence of such convincing power that reasonable persons could reach the same decision as the local governmental entity, even if there is also substantial evidence to support the opposite decision. Reasonable Inferences may be drawn from credible evidence. DO NOT PHOTO COPY THIS FORM FOR OTHERS.

I have no objections to this: ( )

I have objections to this: (X)

Additional Comments:

*Please see attached*

*Lynn Sennett*

*Lynn Sennett*

(Please Print and Sign; Only signature required)

You may scan and email this to the above address.

### **SENNETT'S OBJECTION LETTER**

My husband, Ed, and I purchased our cabin in 1988 and made it our full time/permanent home when we retired in 2007. Our love of our home here in Wisconsin centered on the peaceful surroundings including.....

1. a quiet bay all our own
2. The undisturbed pine forest areas all around us
3. Low numbers of people frequenting our road areas while riding bicycles, running, walking pets, walking, or driving.
4. QUIET evenings to sit outside and admire the stars.
5. Neighbors who understood and appreciated the serenity of our area here on the Chippewa Flowage.

The new owners of Sisko's Resort will be destroying all of this with their new plans for the construction of the "Trailer Park". As neighbors to the resort, we have already experienced some issues of concern which I feel will only increase as the "Trailer Park" grows. Night times became very loud due to open/new tenting and trailer areas on the hill across the road from our property. Numerous bears began crossing our property to dine on the food and trash left for them by those people camping. This is so dangerous for my 17 grandchildren who frequently see the bears crossing our yard on their way to and from the current camp sites. The trash the bears manage to grab also seemed to end up in our yard as the bears carried it away from the camp sites. This is only going to get worse with more trailers and, therefore, more people not understanding how feeding the bears affects the bears and others.

### **OBJECTIONS TO THE CONSTRUCTION OF TRAILER/CAMPER SITES**

1. Soil erosion
2. General noise – greatly increased noise, peace and tranquility will come to an end.
3. More trash and pets
4. Bear activity will be increased to a dangerous point on all neighboring areas
5. Enough trailer sites are already present on the lake – Chippewa Campground, The Landing's new campground, Treeland's beautiful new trailer/camper sites and there are many resorts that have areas for trailers/campers.....Tiger Musky Resort, Big Musky Resort, Daggett's Resort just to name a few.
6. Permanent trailer parks are not what the great North Woods area is all about. The beauty and aesthetic character of our area will be lost with the input of these commercialized permanent trailers.
7. Traffic will increase greatly

✳ In order to be perfectly honest about our feelings regarding the proposed construction, we are not "anti- campsites", but we would like to see it be the best for everyone. Currently this property is not in good shape. We've had friends and relatives stay at the resort and the conditions are not good. The cabins are infested with bats. So while laying in bed at night the

bat waste falls from the ceilings onto the bed and whoever is sleeping in there. We're also unsure if the electric is up to code and how safe the water is to drink. In recent years, we've heard of several septic problems and believe Steve Sisko had a new system put in to deal with that but are unsure how well it is working also. Cleaning up what is already existing on the property should be done before any further construction of any kind is considered. Perhaps then more of us would feel a little more comfortable with some changes presented. If the current owners are unwilling to correct the mess they have now, how are they every going to take proper care of additional items such as a "trailer park" and all that is involved with that!!??

Sincerely,

Lynn Sennett

Ed Sennett

Tim Sennett

Tom Sennett

Tami Sennett

Ty Sennett

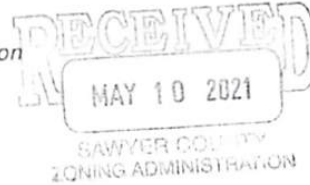
Tait Sennett

Tiffany Sennett



Sawyer County Zoning and Conservation Administration  
10610 Main Street, Suite #49 Hayward, Wisconsin 54843  
(715) 634-8288

E-mail: [kathy.marks@sawyercountygov.org](mailto:kathy.marks@sawyercountygov.org)



**Conditional Use Application #21-043**

TO: Sawyer County Zoning & Conservation Administration  
10610 Main Street, Suite #49  
Hayward, WI 54843  
Attn: Kathy Marks

Owner: Pinewood Properties LLC  
15437W County Hwy B  
Hayward, WI 54843

Phone: 715-638-2345

Email: [bodie@cheqnet.net](mailto:bodie@cheqnet.net)

**Property Description:** Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE ¼ NW ¼, Part of the NE ¼ of the SW ¼, Part NW ¼ SE ¼ Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW ¼ of the SE ¼, Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1).

Permit desired for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This is CUP is subject to RZN #21-005 from RR-1 to RR-2. Discussion/Action.

**Public Hearing for this case will be heard on May 21, 2021 at 8:30am in the Sawyer County Courthouse**

As this could affect your neighborhood, we are asking your cooperation in filling out this questionnaire and returning it to us by May 17, 2021.

Your comments may be considered by the Zoning Committee in granting or denying the Conditional Use requested. Please use Substantial Evidence, described as: evidence of such convincing power that reasonable persons could reach the same decision as the local governmental entity, even if there is also substantial evidence to support the opposite decision. Reasonable inferences may be drawn from credible evidence. DO NOT PHOTO COPY THIS FORM FOR OTHERS.

I have no objections to this ( )

I have objections to this

*OK* 5-9-2021

Additional Comments: This property on CC is a QUENTISSENTIAL representation of Nature on the Chippewa Flowage.

*\* See*

The destruction of this beautiful example of our Natural Resources would be UNFORGIVABLE.

*Att: hand*

PLEASE DENY BOTH OF THESE REQUESTS AND SHOW YOUR

PASSION TO PROTECT THE NATURE OF THE CHIPPEWA FLOWAGE.

(Please Print and Sign; Only (1) signature required) Maske Trust  
You may scan and email this to the above address.

*David Andrew Maske, Secretary*

*2064*

Change Req. #21-005  
Req. #21-013

MASKE OBJECTION

May 9, 2021

I. MASKE HISTORY

- In 1999, acquired property.
- In 2002, built new house.
- In 2005, retired to the Flowage.
- 22 years of quiet and beautiful tranquility.
- Darlene's M.S. is in remission due to the peaceful surroundings.

II. REASONS FOR OBJECTION:

The request for a zoning change and a special use permit should be DENIED for the following, but not limited to just these reasons:

- This will be a TRAILER PARK.
- Over development for this prestige area.
- Residential home values will decrease.
- The project will look too commercialized for the North Woods.
- The project will HARM the aesthetics of this area.
- Wildlife freedom will be restricted.
- More accidents/deaths.
- Quiet the area will be no more
- Increased pollution.
- Soil Erosion.

3 of 4

---Water pressure effected/decreased.

---Alteration to the CHARACTER OF THE FLOWAGE.

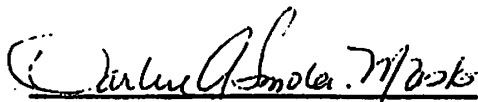
---Overall Destruction of the beauty(NATURAL RESOURCES) of the Flowage.

III. UNANSWERED QUESTIONS:

- A. Has an Impact Study been done?
- B. How will the seasonal increased population effect Hayward Area Hospital, Sawyer County Sheriff's Department, the Ambulance Service,(etc)?
- C. What is the Tax Benefit to the Town of Hunter and Sawyer County?
- D. Vaccines are opening up domestic and international travel, so will there still be a need for a TRAILER PARK?
- E. A Saturation Test should be done due to D above.

Respectfully Submitted

Martin Louis Maske Trust:

  
Darlene A. Smolen-Maske, Trustee

May 9, 2021

4 of 4

**MINUTES OF PUBLIC HEARING  
Sawyer County Zoning Committee  
May 21, 2021**

**Zoning Committee Members**

Ron Buckholtz, Chairman  
Bruce Paulsen, Vice Chairman  
Dawn Petit  
Jesse Boettcher  
Tweed Shuman  
Tracey Hessel, Alternate Member

**Zoning Administration**

Jay Kozlowski, Zoning Administrator  
Kathy Marks, Deputy Zoning & Conservation Administrator  
Rebecca Roeker, Legal Council

**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 call finding present:

Buckholtz, Paulsen, Petit-virtual, Boettcher-absent, Shuman and Hessel.

From the Zoning Office: Kozlowski and Marks. Legal Counsel Rebecca Roeker-virtual.

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 in the Sawyer County Gazette.

5) Approval of April 16, 2021 minutes. Motion to approve by Petit, second by Paulson. All in favor.

6) Public Comment. None

**REZONE APPLICATIONS**

a) A Public Hearing in the Town of Hunter. RZN# 21-005. Owner: Pinewood Properties LLC. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE ¼ NW ¼, Part of the NE ¼ of the SW ¼, Part NW ¼ SE ¼ Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW ¼ of the SE ¼, Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1). Purpose of request is to rezone approximately 16.21 acres from Residential/Recreational One (RR-1) to Residential/Recreational Two (RR-2) to make the property conforming to its current use and allow more campsite additions. With granting of a rezone to Residential/Recreational Two (RR-2) the owners would then apply for a conditional use permit for a Resort and Campground expansion. Kozlowski reads the application, Staff report, Town opinion and Neighbor opinions. Motion to open the public hearing portion by Shuman, second by Paulsen. All in favor. Adam Bodenschatz, owner speaks in favor of the application, shows a map of the area and the campground site plan. Discussion with Committee held. Steve Bodenschatz, owner speaks in favor of the application. Laura Rusk, Town of Hunter Chairman neither speaks in favor or against. Reads Town letter. Douglas Kurtzweil, Town of Hunter resident speaks neither in favor nor against of the covenants and the history of the property. Linda Zillmer,

Edgewater property owner neither speaks in favor or against speaks of which campground ordinance will be used in this instance. Jay explains that it should be under the current campground ordinance as the new one is not ratified. Roeker speaks of vested right and her opinion of which Ordinance that should be used. Audience members speaking against the application include, Darlene Maske and Lynn Sennett residents of the Town of Hunter. Roeker clarifies the vested right and if a Land Use Application was submitted. Motion to come out of the public by Hessel, second by Paulsen. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held by Committee and Kozlowski. Motion to approve the Rezone application #21-005 by Shuman, second by Hessel. All in favor. No Discussion held. Roll call finds: Paulsen – yes, Petit – yes, Shuman – yes, Hessel – 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. It complies with the Town Resort/Recreational plan.

#### **CONDITIONAL USE APPLICATIONS**

a) A Public Hearing in the Town of Hunter. CUP# 21-013. Owner: Pinewood Properties LLC. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE ¼ of the NW ¼; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE ¼ NW ¼, Part of the NE ¼ of the SW ¼, Part NW ¼ SE ¼ Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW ¼ of the SE ¼, Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1). Permit desired for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This is CUP is subject to RZN #21-005 from RR-1 to RR-2. Kozlowski reads the application, Staff report, Town opinion and Neighbor opinions. Motion to open the public hearing portion of the application by Hessel, second by Shuman. All in favor. Adam Bodenschatz, owner speaks in favor of the application. States that he is improving the property. Discussion with Committee held regarding sewer system, wells, and traffic inside of the property, erosion control, storage and buffer zone. Discussion continues with Committee, Bodenschatz and Kozlowski. Steve Bodenschatz, owner speaks in favor of the application. Doug Kurtzweil, Town of Hunter resident speaks of the history of the resort, 34 sites and covenants, permits not to be issued until covenants violations are signed off by the WI DNR and Xcel Energy (Northern States Power) sign-off. Laura Rusk, Town of Hunter Chairman speaks of the Town conditions and Permit not to be issued until the covenant violations are complete. Linda Zillmer, Edgewater property owner speaks of vested right and Conditional Use permits. Sawyer County is the agent of the State for Department of Health Services for inspection of campgrounds and resorts. Darlene Maske, Town of Hunter resident, speaks in opposition and submits a letter. Lynn Sennett, Town of Hunter resident speaks in opposition of the application. Steve Bodenschatz, owner talks of no complaints, has yearly inspections, the buffer zone, erosion/lake levels and permits. Kozlowski reads the letter submitted by Darlene Maske, Town of Hunter resident. Discussion held with Committee, Roeker and Kozlowski. Motion by Paulsen to close the public hearing portion of the application, second by Petit. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion is held by Committee and Kozlowski. Motion by Paulsen to approve the application subject to all the conditions listed in the Zoning Administrators Staff Report and the Town conditions. 1) Must comply with Chapter ATP 79 for Campground Regulations and all other applicable local, State and Federal laws. 2) No mobile homes allowed. 3) All lighting must be downed lighting. 4) Must follow all other requirement of Sawyer County Zoning Ordinance Section 6.6. 5) A permanent manager or designee available 24 hours per day. 6) No fireworks allowed. 7) Quiet hours from 11 PM to 8 AM everyday. 8) Must follow all DNR "pier planner" requirements for dock/pier placement. 9) Must comply with all other DNR restrictive covenant requirements prior to obtaining approval of CUP. 10) Comply with all Town requirements and conditions. 11) Have added buffering of the 150' strip of land between neighbor properties. 12) Conditional Use Permit shall not be issued until

compliance with covenant violations is complete and verified by written notice from WDNR and Xcel Energy. 13) Any sites removed or requiring restoration in the process of becoming compliant with the covenants shall not be relocated and will be taken from the total number of sites allowed. If 71 total sites are permitted and 10 are lost to compliance, only 61 total sites will be permitted. 14) Owners and agents must comply with all Sawyer County Ordinances and all other regulatory agencies as they relate to this expansion. 15) Any request for removal or change to these conditions shall require Town of Hunter approval. Second by Hessel. Paulsen amends motion subject to County Board approval of Rezone #21-005, second by Hessel. Discussion held by Committee, Kozlowski and Adam Bodenschatz. No other discussion held. Roll call finds Petit- yes, Shuman – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes. All in favor. Findings of Fact: We don't have an alternative under State Law.

Buckholtz calls for break at 10:14am

Buckholtz calls meeting back to order at 10:24am.

b) A Public Hearing in the Town of Edgewater. CUP #21-003. Owner: Bear Paw Resort LLC. Part of Government Lot 2; S04, T37N, R09W; Parcel #008-937-04-5207; 4.0 Total Acres; Zoned Residential/Recreational Two (RR-2). Permit desired for expansion of 8 of the 10 sites for 2021-2022 expansion. That total would bring the number of sites to 84 from the existing 76 sites. Kozlowski reads the application, staff report, Town opinion and neighbor opinions. Motion by Hessel to open the public hearing portion of the application, second by Paulsen. All in favor. William Wallus, owner speaks in favor of the application. Discussion with Committee, Kozlowski and Wallus. Audience members opposed to the Conditional use, Richard Juelfs, Town of Edgewater resident and neighbor, James Madsen, Town of Edgewater resident and neighbor. Discussion held. Linda Zillmer, Town of Edgewater property owner speaks of conditions and Town of Edgewater notices. No other comments. Motion to come out of public hearing portion of application by Shuman, second by Paulsen. All in favor. Discussion by Committee, Roeker, Kozlowski and Wallus. Motion to postpone the decision of this Conditional Use permit until July 2021, 60 days. Second by Shuman. No other discussion. Wallus states that all notice was done at the Town and Brian Becker, Sawyer County Inspector did inspections at the campground and it passed 100%.

c) A Public Hearing in the Town of Round Lake. CUP #21-008. Owner: Brian & Katherine Rieckenberg. The NE ¼ or the NE ¼, Part Government Lot 1, Part Government Lot 2, Lot 4 CSM 34/220 #8161; SA33, T41N, R07W; Parcel #024-741-33-1103; Zoned Forestry One (F-1) and Residential/Recreational Two (RR-2). Permit desired for, Island Development, Section 4.4 (2) of the Sawyer County Shoreland Ordinance. Kozlowski reads the Application, Staff report, Town opinion and Neighbor opinions. Motion to open the public hearing portion of the application by Shuman, second by Hessel. All in favor. Brian Rieckenberg, owner speaks in favor of the application. Discussion with Committee. Joseph Johnson neighbor speaks in favor. No other audience comments. No other discussion. Motion to come out of the public hearing portion of the application by Shuman, second by Hessel. All in favor. Kozlowski reads Discussion/Action portion of application. No discussion. Motion by Shuman to approve the application with conditions of 1) Fire number must be obtained on mainland access parcel for island development. 2) Must comply with all other Town, County, State, and Federal regulation including but not limited to conditions set forth in "Short-Term Eagle Incidental Take Permit". 3) Land Use Permit required for island development. Second by Paulsen. No other discussion held. Roll call finds Shuman – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit - 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.

d) A Public Hearing in the Town of Lenroot. CUP #21-009. Owner: Scott & Melanie Mercier. Part of the NE ¼ of the NW ¼, Lot 6 CSM 26/126 #6879; Parcel #014-842-16-2106; S16, T42N, R08W; 2.44 Total Acres; Zoned Residential/Recreational One (RR-1). Permit desired for a 36'x56' Accessory Building on vacant property, as per Sawyer County Zoning Ordinance Section 4.26 (1) the construction of a single accessory structure on vacant property may be allowed under this subsection by Conditional Use with mandatory conditions required on approval. Kozlowski reads the Application, Staff report, Town opinion, Neighbor opinions. Motion to open the public hearing portion of the application by Shuman, second by Paulsen. All in favor. Scott Mercier, owner speaks in favor of the application. Discussion by Committee with Kozlowski. No audience comments. Motion to close the public hearing portion of the application by Hessel, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Motion by Shuman to approve the application with conditions of 1) Land Use permit is required and applied for accessory structure within 1 year from the date of Zoning Committee decision. 2) Land Use Permit is required and applied for principal structure within 3 years from date of zoning Committee decision. Failure to apply will result in citation with potential order for removal of accessory structure. 3) Proposed accessory structure must meet all other Sawyer County Zoning & Conservation requirements and compliant with all other State & Federal Laws. 4. Size of proposed (pole shed) not to exceed 36'x56'. 5) Fire number must be obtained with issuance of Land Use Permit for Accessory Structure. Second by Paulsen. Roll call finds Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit – yes, Shuman – yes. All in favor. Finding of Fact: It would not be damaging to the rights of others or property values. It would not create an air quality, water supply, or pollution problem.

e) A Public Hearing in the Town of Round Lake. CUP #21-010. Owner: James Sorboro & Karla Gluek. Part of the SW ¼ of the NE ¼, CSM 6/344 #1298; Parcel #024-741-20-1306; S20, T41N, T07W; 1.99 Total Acres; Zoned Residential/Recreational One (RR-1). Permit desired for a 28'x40' accessory building on vacant property, Sawyer County Ordinance section 4.26 (2) The construction of a single accessory structure on an adjacent parcel divided by a Public Roadway that does not contain the principal structure may be allowed under this subsection by Conditional Use. Kozlowski reads the Application, Staff report, Town opinion and Neighbor opinions. Motion to open the Public Hearing portion of the application by Hessel, second by Shuman. All in favor. Jim Sorboro, owner speaks in favor of the application and agrees with the Town conditions. Discussion with Committee. No audience comments. Motion to come out of the public hearing by Hessel, second by Petit. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion to approve the application by Paulsen with conditions of 1) No habitable area is allowed in the structure. 2) No commercial use or operation allowed in structure. 3) Size of proposed accessory structure not to exceed 28'x40'. 4) Must follow all other County, State, Federal regulations/laws including also abiding by Town of Round Lake Conditions of 1) Add gutters and drainage system to avoid any runoff issues. 2) Exterior of the building be sided with dark board and batten siding similar to existing House exterior. 3) Building to be located 65' from the center line of Clear Lake Drive. Doing this will create more of a buffer between the building and adjacent property owners land. Second by Shuman. Roll call finds Shuman – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes, Petit – yes. All in favor Finding of Fact: It would not be damaging to the rights of others or property values. Location of the building would lessen the impervious surface issues of lakeside of property.

f) A Public Hearing in the Town of Ojibwa. CUP #21-011. Owner: Tamara Mount. Part of the SE ¼ of the NW ¼, Lot 14, CSM 27/167 #7072; Parcel #020-638-04-2403; S04, T38N, R06W; 4.89 Total Acres;

Zoned Residential/Recreational Two (RR-2). Permit desired for a 14' x 28' accessory building on vacant property, as per Sawyer County Zoning Ordinance Section 4.26 (1) the construction of a single accessory structure on vacant property may be allowed under this subsection by Conditional Use with mandatory conditions required on approval. Kozlowski reads the Application, Staff report, Town opinion and neighbor opinions. Motion to open the public hearing portion of the application by Petit, second by Hessel. All in favor. Dan Smith, agent speaks in favor of the application. No questions from Committee. No audience comments. Motion to come out of the public hearing portion by Hessel, second by Petit. All in favor. Kozlowski reads the Discussion/Action portion of the application. Discussion held by Committee and Kozlowski. Motion by Hessel to approve the application with conditions of 1) Land Use permit is required and applied for accessory structure within 1 year from the date of Zoning Committee decision. 2) Land Use Permit is required and applied for principal structure within 3 years from date of zoning Committee decision. Failure to apply will result in citation with potential order for removal of accessory structure. 3) Proposed accessory structure must meet all other Sawyer County Zoning & Conservation requirements and compliant with all other State & Federal Laws. 4) Size of proposed (pole shed) not to exceed 14'x28'. 5) Fire number must be obtained with issuance of Land Use Permit for Accessory Structure. Second by Shuman. No discussion. Roll call finds: Shuman – yes, Hessel - yes, Buckholtz – yes, Paulsen – yes, Petit - yes. All in favor. Findings of Fact, It would not be damaging to the rights of others or property values.

Paulsen leaves meeting.

g) A Public Hearing in the Town of Round Lake. CUP #21-012. Owners: John & Tammy Wolf and Chad & Lanetta Franzoi. Part of Government Lot 2, Lot 5 CSM 26,241 #8460; Parcel #024-741-30-5236; S30, T41N, R07W; .79 Total Acres; Zoned Residential/Recreational One (RR-1). Permit desired for a 12' x 14' accessory building on vacant property, as per Sawyer County Zoning Ordinance Section 4.26 (1) the construction of a single accessory structure on vacant property may be allowed under this subsection by Conditional Use with mandatory conditions required on approval. Kozlowski reads the Application, Staff report, Town opinion and neighbor opinions. Motion to open the public hearing portion of the application by Shuman, second by Hessel. All in favor. John Wolf, owner speaks in favor of the application. No audience comments. Motion to come out of public hearing portion by Hessel, second by Hessel. All in favor. Kozlowski reads the Discussion/Action portion of the application. Motion by Shuman to approve the application with the conditions of 1) Land Use Permit is required and applied for accessory structure within 1 year from the date of the Zoning Committee decision. 2) Land Use Permit is required and applied for the principal structure within 3 years from the date of the Zoning Committee decision. Failure to apply will result in citation with potential order for removal of accessory building. 3) Proposed accessory structure must met all other Sawyer County Zoning & Conservation requirements and compliant with all other State & Federal Laws. 4) Size of proposed (pole shed) not to exceed 12'x14'. Second by Hessel. No discussion held. Roll call finds Hessel – yes, Buckholtz – yes, Petit – yes, Shuman – yes. All in favor. Findings of Fact, It would not be damaging to the rights of others or property values.

h) A Public Hearing in the Town of Winter. CUP #21-006. Owner: The First Temple of Universal Law. The SW ¼ of the NE ¼; S25, T40N, R05W; Parcel #032-540-25-1301; Total of 40 acres; Zoned Residential/Recreational One (RR-1). Permit is desired for Multi-Dwelling Development. As per Section 17.2 (B) (15) of the Sawyer County Zoning Ordinance, with Conditional Use approval. Kozlowski reads the Application, Staff report, Town opinion, Neighbor opinions. Motion to open the public hearing portion of the application by Shuman, second by Petit. All in favor. Cindy Welleck, agent speaks in favor of the application. Discussion held with Committee. No audience comments. Motion to come out of public hearing by Hessel, second by Shuman. All in favor. Kozlowski reads the Discussion/Action portion

of the application. Discussion held with Committee, Kozlowski and Welleck. Motion by Hessel to approve application with conditions of any further building would require a State/County subdivision plat. Second by Shuman. Roll call finds Shuman – yes, Hessel – yes, Buckholtz – yes, Petit no. 3 to 1 Application approved. Findings of Fact, It would be compatible with the surrounding uses and the area.

#### **PROPOSED ORDINANCE AMMENDMENTS**

a) A Public Hearing Sawyer County Zoning Ordinance Amendment to Section 6.6 Trailer Camps and Campgrounds. A full red line version and clean working version of the proposed amendments can be viewed under the Zoning & Conservation Department tab on the official Sawyer County Website. Discussion/Possible Action to Send to County Board. Kozlowski reads proposed ordinance amendment Motion to open the public hearing by Petit, second by Shuman. All in favor. Discussion held with Kozlowski, Committee and Roeker. Kozlowski reads the Town opinions. Phil Nies, Town of Bass Lake resident speaks in support of the amendment changes. Discussion continues. Linda Zillmer, Edgewater property owner speaks in support of the Campground Ordinance except for the increase in structures and size of decks. Discussion continues with Roeker, Will Wallus, owner of Bear Paw Campground, Kozlowski, Roeker and Committee. Motion by Hessel to come out of Public Hearing, second by Shuman. All in favor. Motion by Shuman to approve the Amendments to Section 6.6 Trailer Camps & Campgrounds and send on to the June County Board meeting, second by Buckholtz. All in favor. Roll call finds, Shuman- yes, Hessel – yes, Buckholtz – yes, Petit – yes.

#### **NEW BUSINESS**

- a) Policy discussion for Rezones that need additional site development plans. Kozlowski gives history and what was suggested by Paulsen as needed materials for Rezones. No other discussion.
- b) Mission Statement. Kozlowski reads the Mission Statement. Motion to approve the Mission statement and forward to the County Board for approval by Hessel, second by Shuman. All in favor.
- c) Any other business that may come before the Committee. None.

#### **ADJOURNMENT**

Buckholtz adjourns meeting at 1:04 pm.

Note: The Minutes of the May 201 2021 Zoning Committee meeting incorporate the video recording of this meeting and any documents referenced in the meeting, submitted by the applicant, and/or considered by the Zoning Committee in rendering its decision.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator



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May 21, 2021

**CUP #21-013, Pinewood Properties LLC**

Notice is hereby given that on May 21, 2021 the Sawyer County Zoning Committee **approved** the Conditional Use Permit #21-013 with Conditions

**Property Description:** Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Parcel #012-740-14-2407; 1.45 Total Acres, excepting the West 100' leaving 1.42 Total acres. Part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; Parcel #012-740-14-2404; 2.86 Total Acres. Part of the SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Part of the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Part NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Lot 1 CSM 36/43 #8376; Parcel #012-740-14-2414. Total Acres 10.94. Part of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ , Lot 2 CSM 36/43 #8376; Parcel #012-740-14-4204; Total Acres .99; All in S14, T40N, R07W; All zoned Residential/Recreational One (RR-1).

**Permit desired** for an additional 37 new campsites, 34 sites are existing making a total of 71 sites. This CUP is subject to RZN #21-005 from RR-1 to RR-2.

**Motion by Paulsen** to approve the application subject to all the conditions listed in the Zoning Administrators Staff Report and the Town **conditions**. 1) Must comply with Chapter ATCP 79 for Campground Regulations and all other applicable local, State and Federal laws. 2) No mobile homes allowed. 3) All lighting must be downed lighting. 4) Must follow all other requirement of Sawyer County Zoning Ordinance Section 6.6. 5) A permanent manager or designee available 24 hours per day. 6) No fireworks allowed. 7) Quiet hours from 11 PM to 8 AM everyday. 8) Must follow all DNR "pier planner" requirements for dock/pier placement. 9) Must comply with all other DNR restrictive covenant requirements prior to obtaining approval of CUP. 10) Comply with all Town requirements and conditions. 11) Have added buffering of the 150' strip of land between neighbor properties. 12) Conditional Use Permit shall not be issued until compliance with covenant violations is complete and verified by written notice from WDNR and Xcel Energy. 13) Any sites removed or requiring restoration in the process of becoming compliant with the covenants shall not be relocated and will be taken from the total number of sites allowed. If 71

*total sites are permitted and 10 are lost to compliance, only 61 total sites will be permitted. 14) Owners and agents must comply with all Sawyer County Ordinances and all other regulatory agencies as they relate to this expansion. 15) Any request for removal or change to these conditions shall require Town of Hunter approval. Second by Hessel*

*Paulsen amends motion subject to County Board approval of Rezone #21-005, second by Hessel. Roll call finds Petit- yes, Shuman – yes, Hessel – yes, Buckholtz – yes, Paulsen – yes. All in favor. Findings of Fact: We don't have an alternative under State Law.*

*Any person or persons jointly aggrieved by the decision of the Zoning Committee may commence an appeal action to the Sawyer County Board of Appeals at their expense to review the legality of the decision within 30 days after the date of this notice.*

*Kathy Marks  
Deputy Zoning & Conservation Administrator  
Enc.*