



Sawyer County

Agenda

Zoning Committee Meeting

Wednesday, November 15, 2023 @ 8:30 AM

Sawyer County Board Room - 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/99413118485>. You can also use the dial in number for listening only at 1-312-626-6799 with the Webinar ID: 994 1311 8485. 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. Pledge of Allegiance
- c. State of Committee and Hearing Procedure and Statement of Hearing Notice
[Statement of Comm. Hearing & Procedure & Hearing Notice](#)

4 - 5

- d. Approval of Previous Meeting Minutes
[10-20-2023 ZC Minutes](#)

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- e. Public Comment

Please note comment time is intended for general public comments, not comments relating to a specific application before this Committee. Each Agenda item requiring a public hearing will have its public hearing conducted just prior to the application being considered by this Committee. If you wish to speak on a specific Agenda item, we encourage you to hold your comments until that specific public hearing. Comments should be directed to the Committee as a whole and should not be directed to individual Committee Members or Staff.

3. REZONE APPLICATIONS

- a. A Public Hearing in the Town of Round Lake. RZN #23-012. Owner:

11 - 19

JBT Properties LLC. Part of the SE ¼ of the NW ¼; S01, T41N, R08W; Parcel #024-841-01-2402; Tax ID #40156; 36.43 total acres; Zoned Forestry One (F-1). Purpose of request is to rezone 100' x 352' or 0.80 acres of the (F-1) zone district to (A-2) as part of property sale to adjacent property owner. The sale is contingent on the rezone approval and a new survey map would need to be filed with approval of the rezone.

[RZN #23-012, JBT Properties LLC pkt.](#)

- b. Discussion/Action in the Town of Round Lake. RZN #23-012. Owner: JBT Properties LLC. Part of the SE ¼ of the NW ¼; S01, T41N, R08W; Parcel #024-841-01-2402; Tax ID #40156; 36.43 total acres; Zoned Forestry One (F-1). Purpose of request is to rezone 100' x 352' or 0.80 acres of the (F-1) zone district to (A-2) as part of property sale to adjacent property owner. The sale is contingent on the rezone approval and a new survey map would need to be filed with approval of the rezone.

4. CONDITIONAL USE APPLICATIONS

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- a. A Public Hearing in the Town of Edgewater. CUP #23-026. Owner: SA Hayes, LLC. Agent: Scott Steeno, Buell Consulting Inc. The NE ¼ of the NE ¼; S24, T37N, R09W; Parcel #008-937-24-1101; Tax ID#8897; 40 total acres; Zoned Forestry One (F-1). Permit desired for construction of a 400' telecommunication tower. The tower will be owned by Vertical Bridge/The Towers LLC. The tenant on the tower will be Verizon Wireless. Per section 17.8 (B) (10) of the Sawyer County Zoning Ordinance and Sawyer County Zoning Telecommunication Ordinance.

[CUP #23-026, SA Hayes LLC - Buell Consulting Inc.pkt](#)

- b. Discussion/Action in the Town of Edgewater. CUP #23-026. Owner: SA Hayes, LLC. Agent: Scott Steeno, Buell Consulting Inc. The NE ¼ of the NE ¼; S24, T37N, R09W; Parcel #008-937-24-1101; Tax ID#8897; 40 total acres; Zoned Forestry One (F-1). Permit desired for construction of a 400' telecommunication tower. The tower will be owned by Vertical Bridge/The Towers LLC. The tenant on the tower will be Verizon Wireless. Per section 17.8 (B) (10) of the Sawyer County Zoning Ordinance and Sawyer County Zoning Telecommunication Ordinance.

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- c. A Public Hearing in the Town of Round Lake. CUP #23-027. Owner: Xavier Cummings and Carly Somerville. The South ½ of the NW ¼ of the NW ¼; S32, T41N, R07W; Parcel #024-741-32-2202 and Parcel #024-741-32-2102; Tax ID# 26114 and 26112, 20 acres each for a total of 40 acres; Both Zoned Forestry One (F-1). Permit desired to be able to allow horses in Forestry One (F-1) zone district. Per section 4.6 of the Sawyer County Ordinance with automatic requirements of this subsection.

[CUP #23-027, Xavier Cummings & Carly Somerville pkt.](#)

- d. Discussion/Action in the Town of Round Lake. CUP #23-027. Owner: Xavier Cummings and Carly Somerville. The South ½ of the NW ¼ of the NW ¼; S32, T41N, R07W; Parcel #024-741-32-2202 and Parcel #024-741-32-2102; Tax ID# 26114 and 26112, 20 acres each for a total of 40 acres; Both Zoned Forestry One (F-1). Permit desired to be able to allow horses in Forestry One (F-1) zone district. Per section 4.6 of the Sawyer County Ordinance with automatic requirements of this subsection.
- e. A Public Hearing in the Town of Lenroot. CUP #23-028. Owner: Hayward Sno-Mads Snowmobile Club Inc. Agent: John Welter. Part of the SW ¼ of the SE ¼; S21, T41N, R08W; Parcel #014-842-21-4302; Tax ID# 17148; 15 total acres; Zoned Agricultural One (A-1). Permit desired for Hayward Sno-Mads storage building 40' x 60' x 19'H; Subject to section 17.4 (B) (13),(18),(25) for snowmobile grooming equipment storage.
[CUP #23-028, Hayward Sno-Mads Snowmobile Club Inc. pkt](#)
- f. Discussion/Action in the Town of Lenroot. CUP #23-028. Owner: Hayward Sno-Mads Snowmobile Club Inc. Agent: John Welter. Part of the SW ¼ of the SE ¼; S21, T41N, R08W; Parcel #014-842-21-4302; Tax ID# 17148; 15 total acres; Zoned Agricultural One (A-1). Permit desired for Hayward Sno-Mads storage building 40' x 60' x 19'H; Subject to section 17.4 (B) (13),(18),(25) for snowmobile grooming equipment storage.

5. NEW BUSINESS

- a. Ordinance Amendment for "multi-dwelling development". (Discussion/Possible Action to send to Towns)
- b. Boat Storage Building within the RR-1 Zone District as part of a CUP request (Discussion Only)
- c. Any other business that come before the Committee. Discussion Only.

6. ADJOURNMENT

**SAWYER COUNTY ZONING COMMITTEE
STATEMENT OF COMMITTEE HEARING AND PROCEDURE AND STATEMENT OF HEARING
NOTICE**

This Sawyer County Zoning Committee ("Zoning Committee") meeting is being held this day and will be called to order at approximately 8:30 a.m. in the Sawyer County Courthouse, 10610 Main Street, Hayward, Wisconsin.

This Statement of Committee Hearing and Procedure and Statement of Hearing Notice is for the public's reference and supplements on the statements on the record under Agenda Item No. 1, "Preliminary Matters." This Statement of Committee Hearing and Procedure and Statement of Hearing Notice is incorporated into the record of today's Zoning Committee meeting.

Nothing in this Statement of Committee Hearing and Procedure and Statement of Hearing Notice modifies or otherwise limits the provisions set forth in the Wisconsin Statutes and other applicable law.

Any persons requiring assistance with this may contact the Sawyer County Zoning Administrator or request assistance at the Zoning Committee meeting during public comments.

Statement of Committee Hearing and Procedure

Individual Public Hearing: Generally, each application requiring a public hearing shall have an individual public hearing conducted just prior to the Agenda item in which the Zoning Committee may take action.

Public Hearing Process: Each public hearing conducted at this Zoning Committee meeting will follow this order: (1) presentation of a summary of the petition set forth in the application or request; (2) submission of a file to the Zoning Committee; and (3) the applicant's statements (or the applicant's representative's statements) and presentation of evidence; (4) public testimony by persons desiring to give pertinent testimony (a "Speaker") in support of the application; (5) public testimony by Speakers in objection to the application; and (6) any rebuttal as permitted by the Zoning Committee Chair. Once the Zoning Committee has the pertinent information, the public hearing will be closed and thereafter the Zoning Committee may deliberate, discuss, pose questions to the Sawyer County staff, legal counsel or the applicant, and take action on the application within the Zoning Committee's discretion.

Hearing Appearance Slip: For all hearings to be conducted at today's Zoning Committee meeting, any Speaker desiring to give pertinent testimony will be afforded to opportunity to do so. A Speaker must complete a Hearing Appearance Slip, which is provided at this meeting next to the meeting Agenda. After completion, the Speaker shall deliver the Hearing Appearance Slip to the Zoning Committee Chair prior to the commencement of the Zoning Committee meeting.

Process and Guidelines for Testimony by Speakers: Prior to speaking, the Speaker must be recognized by the Zoning Committee Chair in order to speak. Once recognized by the Zoning Committee Chair, the Speaker must state their full name and address before giving testimony. The Speaker should also state whether the Speaker represents a client, group, or other association, whether the Speaker is in favor or opposes the proposal on which the testimony is being given, and other pertinent information. Speakers should confine their testimony to the facts and matters presented. Speakers should avoid repetitive testimony, and Speakers are encouraged to state that they agree or disagree with other comments to avoid repetitive testimony. A Speaker's testimony will be limited to three (3) minutes, unless additional time is provided for by the Zoning Committee Chair. Orderly procedures require that each Speaker proceeds without interruption by others. All testimony will be addressed to the Zoning Committee and there will be no questions or arguments between individuals. The Zoning Committee is under no obligation to answer questions posed by the Speaker during the public hearing.

Applications for Rezoning: On applications for a change in zoning designation of property, the decision of the Zoning Committee is a recommendation to the Sawyer County Board of Supervisors for final determination and action. This provision does not modify or otherwise limit the provisions set forth in Wis. Stat. § 59.69 or any other applicable law.

Appeal of Certain Decisions: Any person aggrieved by a decision regarding a conditional use or any other decision in which the County Zoning Committee is the decision making body, a person may commence an action with the Sawyer County Board of Appeals to review the Zoning Committee's decision in whole or in part, within 30 days of the date following the committee's decision letter. This provision does not modify or otherwise limit the provisions set forth in Wis. Stat. § 59.694.

Statement of Hearing Notice

Each public hearing conducted at this Zoning Committee meeting has been published as a Class 2 notice in accordance with Wisconsin Statutes Ch. 985 in the Sawyer County Record and the Sawyer County Gazette, and publically posted within the Sawyer County Courthouse.

Questions

Please contact the Sawyer County Zoning Administrator should you have any questions regarding this Statement of Committee Hearing and Procedure and Statement of Hearing.

**MINUTES OF PUBLIC HEARING
Sawyer County Zoning Committee
October 20, 2023, 8:30 am**

Zoning Committee Members

Ronald Buckholtz, Chairman
Stacey Hessel, Vice Chair
Tweed Shuman
Michael Maestri
Kay Wilson
John Righeimer, Alternate

Zoning Administration

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

PRELIMINARY MATTERS

a) Call to Order and Roll Call

Hessel 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 called finding present: Buckholtz – absent, Hessel, Shuman, Wilson, Maestri –virtual and Righeimer. From the Zoning Office Kozlowski and Marks. Rebecca Roeker legal counsel for Sawyer County.

b) Pledge of Allegiance

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

Those persons wishing to speak will be afforded the opportunity provided they identify themselves. The Public Hearing Notice was published as a Class 2 Notice in accordance with Chapter 985 of the Wisconsin Statutes in the Sawyer County Record and Sawyer County Gazette.

d) Approval of September 15, 2023 Minutes. Motion by Righeimer to approve the September 15, 2023 minutes as presented. Second by Wilson. All in favor.

e) Public Comment. Linda Zillmer, Edgewater property owner and Douglas Kurtzweil Town of Hunter resident.

Kozlowski recommends that #5 the Ordinance Amendment Process be heard first. Motion by Hessel to have the Ordinance Amendment Process be heard first, second by Wilson. All in favor.

ORDINANCE AMENEMENT PROCESS

a) Public and Town input requested for Zoning Ordinance Amendment Draft(s) related to “Multi-Dwelling Development” and “Resort Definition”. Discussion is held with Committee, Kozlowski, Town officials and public comment. Kozlowski explains why this needs to be done. Jerry Sutton, Town of Bass Lake speaks against the changes, Don Stover, Town of Round Lake speaks against, Steve Klein, Town of Draper speaks against. Linda Zillmer, Previously on the Planning & Town of Edgewater Committees and Edgewater property owner speaks of the process. Rebecca Roeker, legal counsel advised. Ben Kurtzweil, Town of Hayward resident

speaks of bad policy. Discussion held by Committee. Chris Klein, Town of Draper planning commission & resident and speaks in favor of having shoreland and non-shoreland draft. Joan Cervenka, resident Town of Hayward speaks of multi-dwelling off shore apartments, Ben Kurtzweil, Town of Hayward resident agrees with the apartment issue and grandfathering. Discussion held with Kozlowski and Committee. Doug Kurtzweil, Town of Hunter resident speaks of motel, acreage and zone districts. Discussion continues. Frank Zufall, Sawyer County Record speaks of grandfathering and non-compliance. Rebecca Roeker, legal counsel advises. Discussion held.

Break at 9:25am.

REZONE APPLICATION

a) Withdraw requested via applicant. A Public Hearing in the Town of Ojibwa. RZN #23-009. Owner: Alexander & Annie Wirth. Assessor's Plat No 1, Lot 31; S09, T38N, R06W; Parcel #020-103-00-3100; Tax ID #20206; 9.6 total acres; Zoned Commercial One (C-1). Purpose of request is to rezone entire 9.6 acres of Commercial One (C-1) to Agricultural Two (A-2) to establishing a small-scale homestead farm for personal and family use. Kozlowski reads the application and withdraw letter, and Town opinion. Motion by Wilson to withdraw the application, second by Righeimer. All in favor.

b) Withdraw requested via applicant. A Public Hearing in the Town of Draper. RZN #23-010. Owner: Lawrence Pawlak. Part of Government Lot 5; S20, T40N, R04W; Parcel #006-440-20-5501; Tax ID #7375; 46.42 total acres; Zoned Forestry One (F-1) and Residential/Recreational One (RR-1). Purpose of request is to rezone approximately 2.4 acres of Forestry One (F-1) to Residential/Recreational One (RR-1), specifically the land north of Blaisdell Lake Road to create 5 waterfront single family parcels. A County Subdivision plat will be proposed with approval of the rezone. Kozlowski reads the application, and withdraw letter, Town opinion. Motion by Shuman to withdraw the application, second by Wilson. All in favor.

CONDITIONAL USE APPLICATION

a) A Public Hearing in the Town of Radisson. CUP #23-023. Owner: Joseph & Colette Bauer. The NW ¼ of the SW ¼; S01, T38N, R07W; Parcel #022-738-01-3201; Tax ID #22130; 40 total acres; Zoned Forestry One (F-1). Permit requested for construction of a 30' x 50' pole shed on vacant land subject to provisions of the Sawyer County Zoning Ordinance Section 4.26(1). Kozlowski reads the application, staff report and Town opinion. No notification opinions received. Motion to open the public hearing portion of the application by Shuman, second by Righeimer. All in favor. Joseph & Colette Bauer, owners speak in favor of the application. Discussion with Committee held. No audience comments. Motion to close the public hearing portion of the application by Righeimer, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Motion by Shuman to approve the application with conditions of: 1) Land Use permit is required & applied for the accessory structure(s) within 1 year from the date of Zoning Committee decision & built within permit timeframes. 2) Land Use permit is required & applied for principal structure within 3 years from date of Zoning Committee decision & built within permit timeframe. Failure to apply & build will result in citation with potential order for removal of accessory building. 3) Proposed accessory structure must meet all other Sawyer County Zoning & Conservation requirements & compliant with all other State & Federal Laws. 4) Size of proposed structure not to exceed 30' x 50'. Second by Righeimer. Findings of Fact: 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 be consistent with the Town and/or County Comprehensive Plan. 9) It would not create an objectionable view. Roll call finds: Wilson – yes, Maestri – yes, Shuman – yes, Hessel – yes, Righeimer – yes. All in favor.

b) A Public Hearing in the Town of Winter. CUP #23-024. Owner: Jean Roedl ETAL. Part of the NE ¼ of the NE ¼; S03, T39N, R05W; Parcel #032-539-03-1101; Tax ID #34673; 39.47 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for a 100' x 100' lease area for a 225' telecommunication tower and its ground equipment that is to provide better cell phone and data coverage to the surrounding area. Along with a gravel driveway coming off of County Highway B to the lease area, per Sawyer County Telecommunication Ordinance. Kozlowski reads the application, staff report and Town opinion. No notification opinion letters returned. Motion by Shuman to open the public hearing portion of the application, second by Righeimer. All in favor. Karl Gerber, agent speaks in favor of the application. Kozlowski asks agent, Karl Gerber if they agree to the conditions, bond and fall zone letter. No other questions. No audience comments. Motion to close the public hearing portion of the application by Wilson, second Righeimer. All in favor. Kozlowski reads the discussion/action portion of the application. No discussion held. Motion by Righeimer to approve the application with conditions of: 1) Land Use Permit for telecommunication facility is required. 2) A separate site address/fire # is required for the tower location. 3) A fall-zone letter is required for a lesser setback distance to the right-of-way line to County Hwy B. 4) Prior to issuing the Land Use Permit the applicant or owner of the telecommunication facility shall provide a bond, irrevocable letter of credit, of their suitable financial guarantee as to ensure the removal of facility if it falls into disuse and restoration back to pre-construction state in the amount of \$20,000. 5) All other town, County, State, Federal Laws are followed including: Town approval of the CUP case -County Hwy approval for additional driveway access onto County Hwy B.6) -40' wetland setback compliance for all fencing requirements. Findings of fact: 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 be consistent with the Town and/or County Comprehensive Plan. 9) It would not create an objectionable view. Second by Shuman. Roll call finds: Shuman – yes, Hessel – yes, Maestri yes, Righeimer – yes, Wilson – yes. All in favor.

c) A Public Hearing in the Town of Bass Lake. CUP #23-025. Owner: John & Mary Jo Bross. Abendpost Beach 1st Addition, Lots 25 & 26, Block 12; S31 T40N, R08W; Parcel #002-106-12-2500; Tax ID #301; 0.171 total acres; Zoned Residential/Recreational One (RR-1). Permit desired for construction of a garage across the Town Road from where the primary dwelling is located. Not to exceed 600' square feet and 18' in height. As per section 4.26 (2) Sawyer County Zoning Ordinance. Kozlowski reads the application, staff report and Town opinion. No notification letters returned. Motion to open the public hearing portion of the application by Shuman, second by Righeimer. All in favor. Joe Highland, builder/agent speaks in favor of the application. No audience comments. Motion to close the public hearing portion of the application by Wilson, second by Shuman. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held. Applicant (John Bross) agrees to all conditions in staff report. Motion by Wilson to approve the application 1) No habitable area is allowed in this

structure. 2) No commercial use or operation allowed in structure. 3) Size of proposed accessory structure not to exceed 600 square feet in total footprint and less than 18' high. 4) A deed restriction or restrictive covenants must be recorded with the Register of Deeds Office so that parcels may not be sold separately. 5) Must follow all other Town, County, State, Federal regulations/laws/conditions including an additional Town Driveway Permit. Findings of Fact: 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 be consistent with the Town and/or County Comprehensive Plan. 9) It would not create an objectionable view. Second by Shuman. Roll call finds: Hessel – yes, Wilson – yes, Maestri – yes, Shuman – yes, Righeimer – yes. All in favor.

FINAL PLAT REVIEW

a) Public hearing for Final County Subdivision Plat, Larson Family Trust. Town of Lenroot. Jay reads. This is the final plat review. Motion to open public hearing portion by Shuman, second by Righeimer. No audience comments. Motion to close the public hearing portion by Wilson, second by Shuman. All in favor. Kozlowski reads discussion/action. Motion to approve by Shuman, second by Righeimer. Roll call finds Wilson- yes, Maestri –yes, Shuman – yes, Righeimer – yes, Hessel –yes. All in favor.

b) Public hearing for Final County Subdivision Plat, Hardwood Hills West, Owner-Paul Thompson. Town of Hayward. This is the final plat review. Motion to open the public hearing portion by Shuman, second by Righeimer. All in favor. Kozlowski reads. Jesse Suzan, surveyor, Paul Thompson owner, speak in favor of the final plat. Kozlowski asks owner if they have any objection to the Town taking over the road. Paul Thompson, owner agrees to the Town Road. Joan Cevenka of Hayward Planning Commission apologizes for the Town missing the Resolution for the Town Road. Randy Becker speaks in favor. Motion to close the public portion by Shuman, second by Righeimer. All in favor. Motion to conditionally approve the Hardwood Hills plat by Wilson with the Town resolution for the road. Second by Shuman. Roll call finds: Maestri – yes, Wilson – yes, Righeimer – yes, Hessel – yes, Shuman – yes. All in favor.

NEW BUSINES

a) 2024 Meeting Dates. Jay reads. Motion to approve as presented by Shuman, second by Righeimer. All in favor.

b) Wilson requests that she would like us to send out the Town opinions before the Zoning Committee meeting(s).

c) Jay will have a draft version for multi-dwelling development and also a TRH license document by November or by December.

d) Regional training meeting dates and sign-up. Wilson asks for information regarding Training. Kozlowski informs that the tentative date is Wednesday November 29th, 2023 from 3 to 6pm at the Hayward Vets Center. Joan Cervenka, Town of Hayward Planning Commission asks if Towns will be invited also. Jay will double check with Lynn Markam. Wilson asks about the

Town being able to attend the Board of Adjustment training meeting. Kozlowski thinks that should be possible but it is more for the Board of Appeals. Hessel suggests Wilson contact The County Administrator for that information.

d) Any other business that may come before the Committee. None.

ADJOURNMENT

Hessel adjourns meeting at 10:15 AM.

Minutes prepared by Kathy Marks, Deputy Zoning & Conservation Administrator.

***For more information please contact our office or see our website at sawyercountygov.org



Rezone Request STAFF REPORT

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

File: # RZN 23-012

Applicant:

JBT Properties LLC
12201W Tart Road
Hayward, WI 54843

Property Location & Legal Description:

Town of Round Lake. Part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; S01, T41N, R08W; Parcel #024-841-01-2402; Tax ID #40156; 36.43 total acres; Zoned Forestry One (F-1).

Request: Purpose of request is to rezone a 100' x 352' area or 0.80 acres of the (F-1) zone district to Agricultural-Two (A-2) as part of property sale to adjacent property owner. The sale is contingent on the rezone approval and a new survey map would need to be filed with approval of the rezone.

Summary of Request & Project History:

The applicant is requesting to rezone the above described 0.80 acres from F-1 to A-2. For ease of explanation this piece of land will be referred as "the strip". In conversations with the applicant the rezone is needed to sell "the strip" to the neighbor to the South. Since JBT's property is zoned F-1 and the neighbor to the South (Arnett's property) is zoned A-2 the only way "the strip" of land could be deeded to the neighbor would be to rezone the strip to Arnett's current zone district and include "the strip" within a new certified survey map (CSM). Without "the strip" being rezoned it would create a non-conforming zone district split. No additional lots are to be created just moving property line boundaries around with the proposed rezone. Conditions cannot be added onto a rezone. However, there are other ordinance standards that apply the with approval of a zone district change on "the strip" it would need to be absolved into Arnett's property as 1 contiguous lot.

The Town of Round Lake comprehensive plan does show this area as "private forest" with the property immediately to the South identified as Agricultural. Both of these future land use areas are similar in what they require specifically a minimum of 5-acre lot minimums. With the proposed rezone no additional lots are to be created and resulting parcels sizes would be in excess of 5 acres.

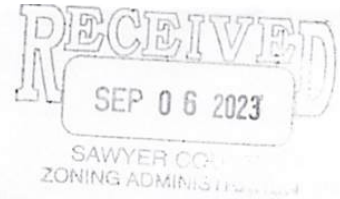
The majority of this surrounding land area is light residential and forestry with agricultural and commercial on the east side of Hwy 77 which is "Hayward Power Sports".

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

- 1 It would not be significantly 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 be consistent with the Town and/or County Comprehensive Plan
- 9 It would not create an objectionable view.

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

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



Rezoning Application # 23-012
Town of Round Lake
Sawyer County

Return Original

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

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

Owner: JBT Properties LLC

Address: 12210 W Tart Rd Hayward WI 54843

Phone: 715-462-3440 Email: ljrschroeder75@gmail.com

Legacy PIN # 024841012402 Acreage: 36.43

Change from District F1 to A-2

Property Description: Town of Round Lake, Part SENW Section 1 T41N R08W

Purpose of Request: Rezoning 100' x 352' of F1 to A2
as part of property sale to adjacent property owner
0.8 acres subject to rezoning request
Jayne Schroeder Jayne Schroeder Sale contingent on rezoning 9/16/23

***Please Print & Sign (Property Owner)**

The above hereby make application for a rezoning. 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 inspection by Municipal Officials.

Name, Address, Phone & Email of Agent:

Phone: _____ Email: _____

Office Information: Fee: \$500.00
Rev. 1/2021

Date of Public Hearing Nov. 15, 2023

Real Estate Sawyer County Property Listing

Today's Date: 9/13/2023

Property Status: Current

Created On: 11/7/2008 2:16:01 PM

 Description

Updated: 10/22/2020

Tax ID:	40156
PIN:	57-024-2-41-08-01-2 04-000-000020
Legacy PIN:	024841012402
Map ID:	.8.2
Municipality:	(024) TOWN OF ROUND LAKE
STR:	S01 T41N R08W
Description:	PRT SENW
Recorded Acres:	36.430
Calculated Acres:	36.095
Lottery Claims:	0
First Dollar:	No
Zoning:	(F-1) Forestry One
ESN:	

 Tax Districts

Updated: 11/7/2008

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

 Recorded Documents

Updated: 5/17/2022

 WARRANTY DEED	
Date Recorded: 4/28/2022	438837
 QUIT CLAIM DEED	
Date Recorded: 10/14/2020	427240
 PERSONAL REPRESENTATIVES DEED	
Date Recorded: 3/23/2012	377795
 EASEMENT	
Date Recorded: 12/31/1998	273585 659/177
 TERMINATION OF DECEDENTS INTEREST	
Date Recorded: 5/12/1995	247801 552/437
 QUIT CLAIM DEED	
Date Recorded: 11/10/1994	245157 543/424

Child History Record Count: 3 -

HISTORY  [Expand All History](#)

White=Current Parcels

Pink=Retired Parcels

 **Tax ID:** 26433 **PIN:** 57-024-2-41-08-01-2 04-000-000010 **Leg. Pin:** 024841012401 **Map ID:** .8.1
 **Tax ID:** 26427 **PIN:** 57-024-2-41-08-01-1 03-000-000040 **Leg. Pin:** 024841011304 **Map ID:** .3.4
 **Tax ID:** 26424 **PIN:** 57-024-2-41-08-01-1 03-000-000010 **Leg. Pin:** 024841011301 **Map ID:** .3.1

40156 This Parcel ↑ Parents ↓ Children

 Ownership

Updated: 5/17/2022

JBT PROPERTIES LLC HAYWARD WI**Billing Address:**

JBT PROPERTIES LLC
 12210W TART RD
 HAYWARD WI 54843

Mailing Address:

JBT PROPERTIES LLC
 12210W TART RD
 HAYWARD WI 54843

**Site Address** * indicates Private Road

N/A

 Property Assessment

Updated: 7/16/2019

2023 Assessment Detail

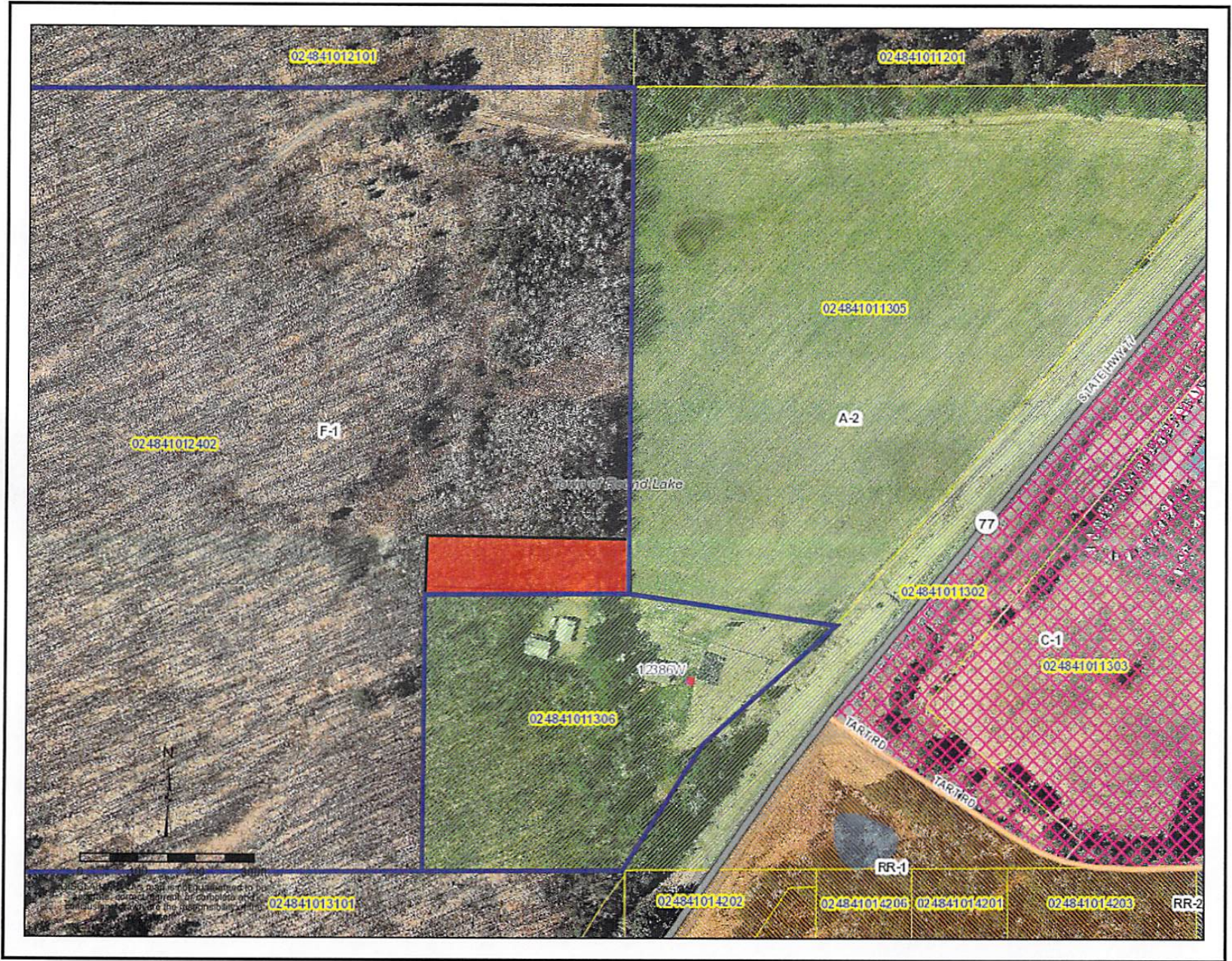
Code	Acres	Land	Imp.
G6-PRODUCTIVE FOREST	36.430	51,000	0

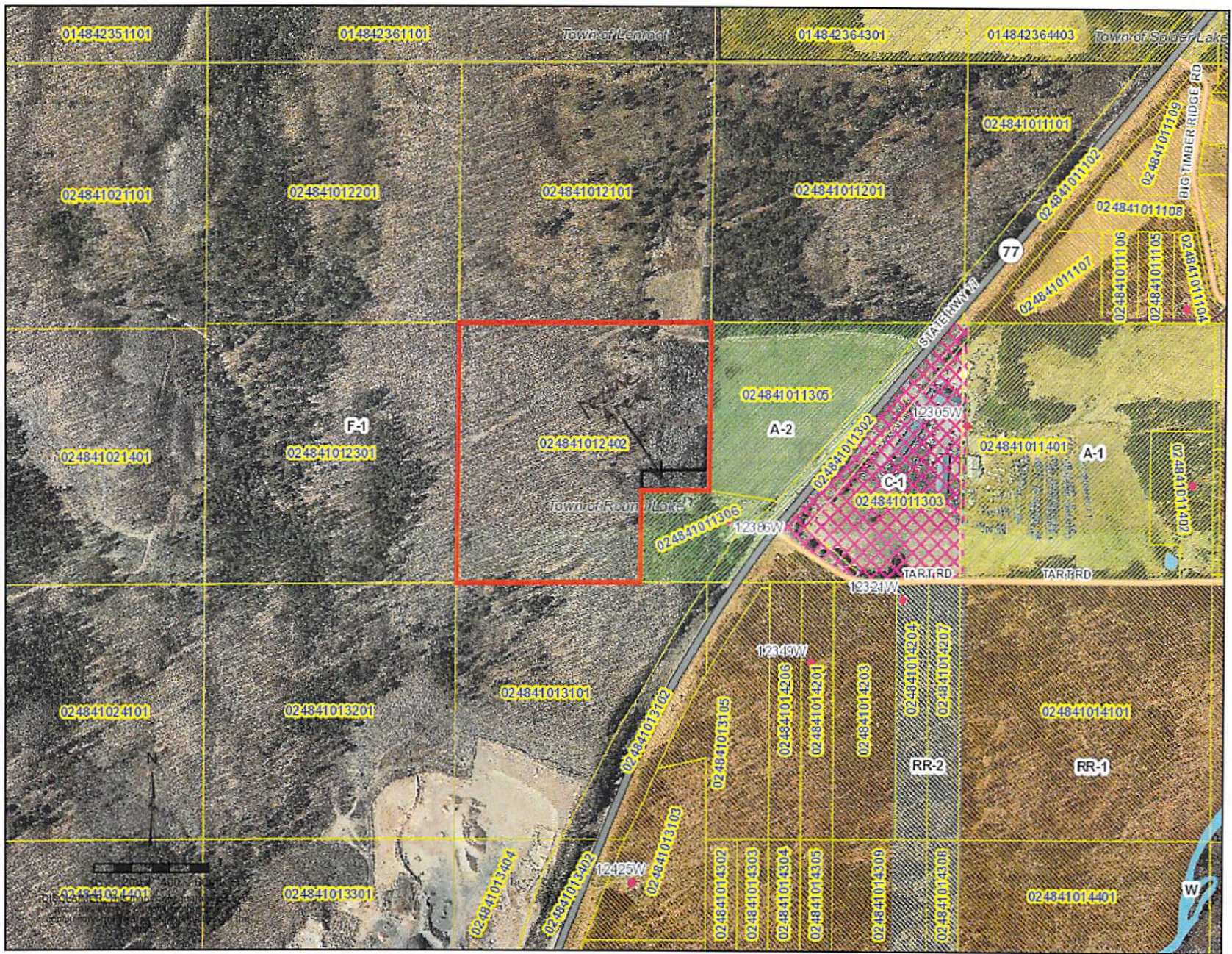
2-Year Comparison

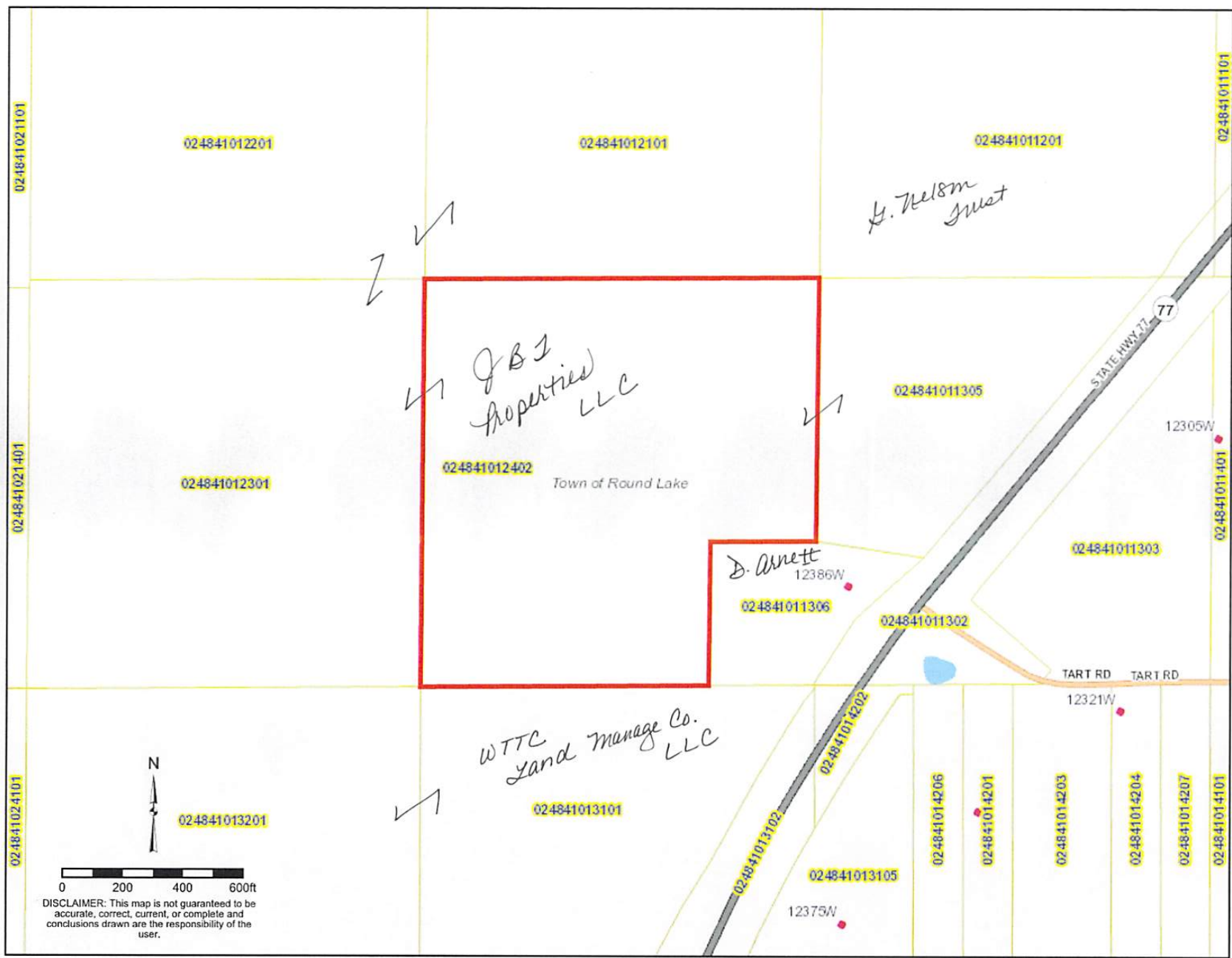
	2022	2023	Change
Land:	51,000	51,000	0.0%
Improved:	0	0	0.0%
Total:	51,000	51,000	0.0%

**Property History**

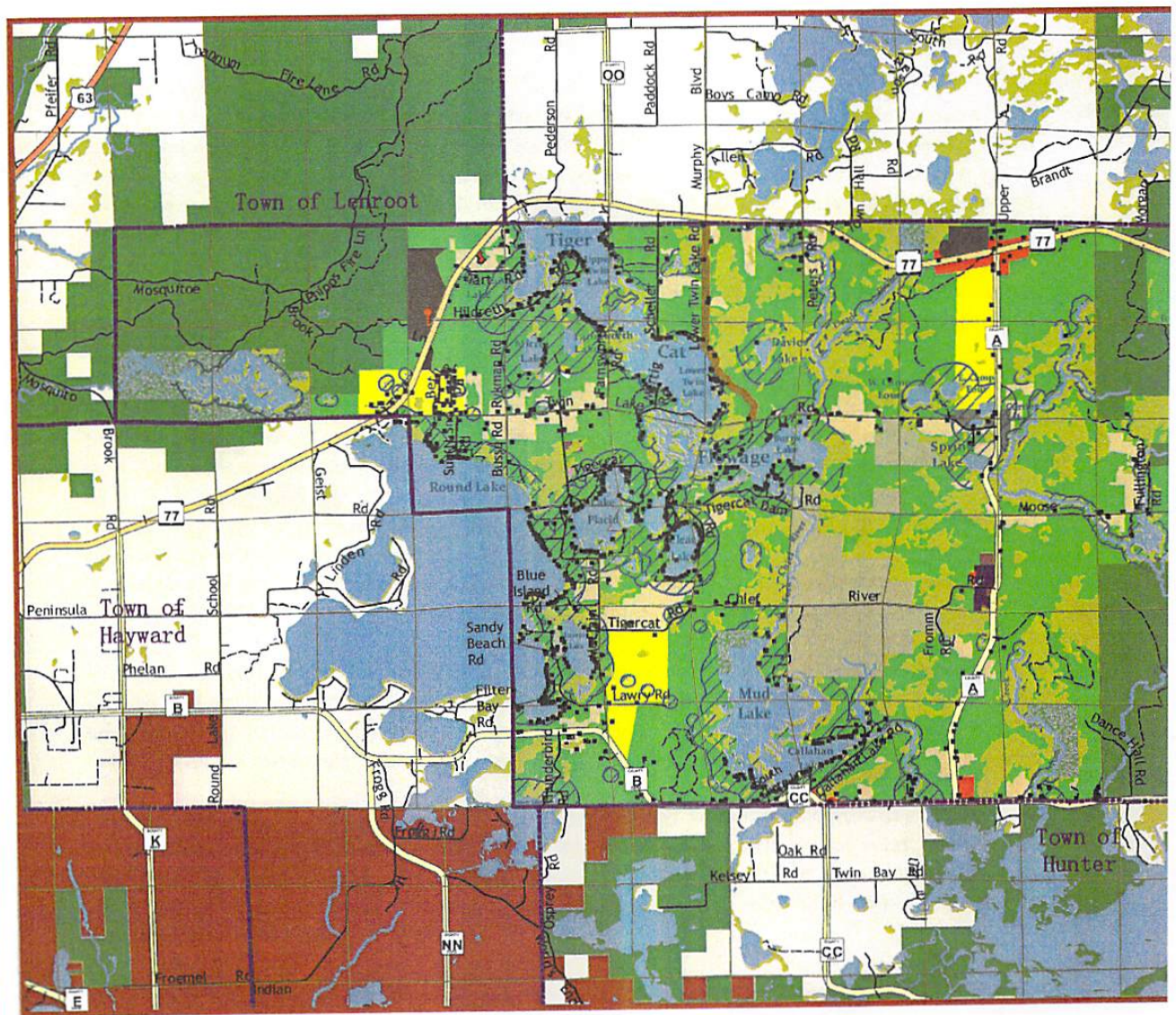
Parent Properties	Tax ID
57-024-2-41-08-01-1 03-000-000010	26424
57-024-2-41-08-01-1 03-000-000040	26427
57-024-2-41-08-01-2 04-000-000010	26433







Map 8.3 - Future Land Use



Roads

- US Highway
- State Highway
- County Highway
- Local/Forest

Hydrology

- Lakes
- River/Stream

Future Land Use

- Agriculture
- Commercial
- Communications/Utilities
- Conservancy
- Extraction
- Government/Institue
- Light Industrial
- Non-Motorized Area



Data Sources: Town of Round Lake, Northwest
Regional Planning Commission, Wisconsin
Department of Natural Resources (Wetlands),
Sawyer County (NR115 buffer)



1 inch equals 1 mile



Conditional Use Permit Request STAFF REPORT

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

File: # CUP 23-026

Applicant:

SA Hayes LLC
14647W State Hwy 48
Birchwood, WI 54817

Agent:

Buell Consulting, Inc.
Site Development Agent: Scott Steeno

Property Location & Legal Description:

Town of Edgewater. The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; S24, T37N, R09W; Parcel #008-937-24-1101; Tax ID#8897; 40 total acres; Zoned Forestry One (F-1).

Purpose of Request:

Permit desired for a 400' telecommunication tower including 10' lightening rod. The tower will be owned by Vertical Bridge/The Towers LLC. The tenant on the tower will be Verizon Wireless. Per section 17.8 (B) (10) of the Sawyer County Zoning Ordinance and Sawyer County Zoning Telecommunication Ordinance.

Project History/Summary of Request/Summary of State mobile tower siting regulations:

With the new changes to WI Chapter 66.0404 mobile tower siting regulations including the changes in 2017 and in 2019 Counties are somewhat limited in local regulations as long as the applicant or mobile service provider comply with the provisions and regulations specified in 66.0404. The Sawyer County Telecommunication Ordinance would not be compliant at this point to State Statutes and the State Statutes would need to be followed. The only element that the Sawyer County Zoning Telecommunication Ordinance is utilizing is that a Conditional Use Permit is required for a telecommunication facility.

Per the regulations established in 66.0404(2)(b) the application process which a person must complete to engage in the siting, construction, or modification activities shall be in writing and shall contain all of the following information:

1. The name and business address of, and the contact individual for, the applicant.
(included in attached packet)

2. The location of the proposed or affected support structure. **(included in attached packet)**

3. The location of the proposed mobile service facility. **(included in attached packet)**

~~4. If the application is to substantially modify an existing support structure, a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications. (new structure-not applicable)~~

5. If the application is to construct a new mobile service support structure, a construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure. **(included in attached packet)**

6. If an application is to construct a new mobile service support structure, an explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant's search ring would not result in the same mobile service functionality, coverage, and capacity; is technically infeasible; or is economically burdensome to the mobile service provider. **(included in attached packet)**

The Sawyer County Zoning Administrator has deemed that the application is complete.

Within 90 days of its receipt of a complete application (August 25, 2023), a political subdivision (Sawyer County) shall complete all of the following or the applicant may consider the application approved, except that the applicant and the political subdivision may agree in writing to an extension of the 90 day period.

1. Review the application to determine whether it complies with all applicable aspects of the political subdivision's building code and, subject to the limitations in this section, zoning ordinances. **(All other determinations have been tentatively approved by the Zoning & Conservation Department including setbacks, floodplains, and other County Zoning Ordinances not subject to the limitations described later in this staff report)**

2. Make a final decision whether to approve or disapprove the application.

3. Notify the applicant, in writing, of its final decision.

4. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

- A political subdivision may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement.
- A party who is aggrieved by the final decision of a political subdivision may bring an action in the circuit court of the county in which the proposed activity, which is the subject of the application, is to be located.

- If an applicant provides a political subdivision with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the setback or fall zone area required in a zoning ordinance, that zoning ordinance does not apply to such a structure unless the political subdivision provides the applicant with substantial evidence that the engineering certification is flawed. **(The proposed tower height would be 410' and would be located 410' to the closest setback line (Stoney Hill Road). The applicant has not provided a fall zone letter but the setbacks would not require this. There would be no lesser setback than the 410' required a greater setback may not be imposed.**

66.0404(4) Limitations: With regard to an activity described for new construction a political subdivision may not do any of the following:

- Impose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers.
- Enact an ordinance imposing a moratorium on the permitting, construction, or approval of any such activities.
- Enact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision.
- Charge a mobile radio service provider a fee in excess of \$3,000 for new construction.
- Charge a mobile radio service provider any recurring fee for new construction or a class 2 collocation.
- Permit 3rd party consultants to charge the applicant for any travel expenses incurred in the consultant's review of mobile service permits or applications.
- Disapprove an application to conduct an activity based solely on aesthetic concerns.
- Disapprove an application to conduct a class 2 collocation on aesthetic concerns.
- Enact or enforce an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.
- Impose a surety requirement, unless the requirement is competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the political subdivision which fall into disuse. There is a rebuttable presumption that a surety requirement of \$20,000 or less complies with this paragraph.
- Prohibit the placement of emergency power systems.
- Require that a mobile service support structure be placed on property owned by the political subdivision.
- Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.
- Condition approval of such activities on the agreement of the structure or mobile service facility owner to provide space on or near the structure for the use of or by the political subdivision at less than the market rate, or to provide the political subdivision other services via the structure or facilities at less than the market rate.

- Limit the duration of any permit that is granted.
- Require an applicant to construct a distributed antenna system instead of either constructing a new mobile service support structure or engaging in collocation.
- Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.
- Require that a mobile service support structure, existing structure, or mobile service facilities have or be connected to backup battery power.
- Impose a setback or fall zone requirement for a mobile service support structure that is different from a requirement that is imposed on other types of commercial structures.
- Consider an activity a substantial modification if a greater height is necessary to avoid interference with an existing antenna.
- Consider an activity a substantial modification if a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable
- Limit the height of a mobile service support structure to under 200 feet
- Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the political subdivision in connection with the political subdivision's exercise of its authority to approve the application.
- Condition the approval of an application on, or otherwise require, the applicant's agreement to permit the political subdivision to place at or collocate with the applicant's support structure any mobile service facilities provided or operated by, whether in whole or in part, a political subdivision or an entity in which a political subdivision has a governance, competitive, economic, financial or other interest.

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 Land Use Permit for telecommunication facility is required.
- 2 A separate site address/fire # is required for the tower location

- 3 Prior to issuing the Land Use Permit the applicant or owner of the telecommunication facility shall provide a bond, irrevocable letter of credit, of their suitable financial guarantee as to ensure the removal of facility if it falls into disuse and restoration back to pre-construction state in the amount of \$20,000.
- 4 All other town, County, State, Federal Laws are followed including:
 - Town approval of the CUP case including Town Driveway Permit
 - Setback distance from property lines at a minimum of 410'

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

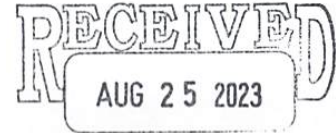
- 1 It would not be significantly damaging to the rights of others or property values
- 2 It would not be detrimental to ecology, wild life, wetlands or shorelands.
- 3 It would not create an air quality, water supply, or pollution problem.
- 4 It would not create topographical problems such as run off, 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 be compatible with the Town and County Comprehensive Plan
- 9 It would not create an objectionable view.

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

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



Conditional Use Public Hearing Application



SAWYER CO.
ZONING ADMINISTRATION

TO: Sawyer County Zoning and Conservation Administration
10610 Main Street Suite 49
Hayward, Wisconsin 54843
Attn: Kathy Marks E-mail: kathy.marks@sawyercountygov.org

Phone: 715-638-3225

Property Owner Name & Address:

SA Hayes LLC
14647W State Hwy 48
Birchwood WI 54817

Phone: 715-790-2800 Email: barboycc@yahoo.com

Property description including Parcel Number:

Description	Updated: 1/11/2023
Tax ID:	8897
PIN:	57-008-2-37-09-24-1 01-000-000010
Legacy PIN:	008937241101
Map ID:	.1.1
Municipality:	(008) TOWN OF EDGEWATER
STR:	S24 T37N R09W
Description:	NENE MFL OPEN
Recorded Acres:	40.000
Lottery Claims:	0
First Dollar:	No
Zoning:	(F-1) Forestry One
ESN:	430

Permit desired for:

Construction of a 400 ft telecommunications tower. The tower will be owned by Vertical Bridge/The Towers LLC. The tenant on the tower will be Verizon Wireless. Please refer to attached drawings.

Scott Hayes
Scott Hayes
Owner Print & Sign

Jess Hayes
Jessica Hayes
Owner Print & Sign

Signature of property owner(s) required. The undersigned person(s) hereby give permission for access to the property for inspection by Municipal Officials, Sawyer County Zoning Staff and Sawyer County Zoning Committee members if needed.

Name, Address, Phone & Email of Agent or Buyer:

Agent:

Scott Steeno

Buell Consulting Inc.

720 Main Street

St. Paul MN 55118

Phone: 608-609-3373

Email: srsteeno@yahoo.com

Fee: \$350.00

Date of Public Hearing:

Gravel Pit renewal \$300.00

Rev January 2023

**SWORN STATEMENT OF MUSTAFA SIAMOF IN SUPPORT OF NEW TOWER CONSTRUCTION
PURSUANT TO WIS. STAT. §66.0404**

Washburn County)
) ss.
STATE OF WISCONSIN)

MD TOUFIKUL ISLAM, being first duly sworn on oath, deposes and says that:

1. I am an adult resident of the State of Wisconsin and serve as RF Engineer at Verizon Wireless.
2. My job duties include responsibility over the placement of the mobile service support structure being proposed by The Towers, LLC, located at 14647W State Hwy 48, Birchwood WI 54817/Lat 45.678894, -91.421833.
3. This sworn statement is made pursuant to Wis. Stat. §66.0404(2)(b)6.
4. The Verizon Wireless Proposal is being submitted because collocation within Verizon Wireless' search ring for the area covered by the Verizon Wireless Proposal is infeasible, as no existing structures of any kind currently exist which could be utilized for such collocation.

MD TOUFIKUL ISLAM

Subscribed and sworn to before me
this day of August 16, 2023

Sharon A. Petrielli
Notary Public, State of Wisconsin
My commission: 936059



Real Estate Sawyer County Property Listing

Today's Date: 8/30/2023

Property Status: Current

Created On: 2/6/2007 7:55:16 AM

**Description**

Updated: 1/11/2023

Tax ID:	8897
PIN:	57-008-2-37-09-24-1 01-000-000010
Legacy PIN:	008937241101
Map ID:	.1.1
Municipality:	(008) TOWN OF EDGEWATER
STR:	S24 T37N R09W
Description:	NENE MFL OPEN
Recorded Acres:	40.000
Calculated Acres:	36.996
Lottery Claims:	0
First Dollar:	No
Zoning:	(F-1) Forestry One
ESN:	430

**Tax Districts**

Updated: 2/6/2007

1	State of Wisconsin
57	Sawyer County
008	Town of Edgewater
650441	Birchwood School District
001700	Technical College

**Recorded Documents**

Updated: 1/11/2023

WARRANTY DEED	
Date Recorded: 5/1/2017	<u>406475</u>
MFL ORDER	
Date Recorded: 11/9/2022	<u>442240</u>
MFL TRANSFER ORDER	
Date Recorded: 8/11/2017	<u>408105</u>
MFL TRANSFER ORDER	
Date Recorded: 3/10/2016	<u>400176</u>
SPECIAL WARRANTY DEED	
Date Recorded: 10/28/2015	<u>398364</u>
MFL TRANSFER ORDER	
Date Recorded: 1/25/2010	<u>364879</u>
SPECIAL WARRANTY DEED	
Date Recorded: 6/26/2009	<u>361349</u>
MANAGED FOREST LAW-MFL	
Date Recorded: 11/21/1997	<u>264512 618/463</u>

**Ownership**

Updated: 11/23/2022

S A HAYES LLC	BIRCHWOOD WI
----------------------	---------------------

Billing Address:

S A HAYES LLC
14647W STATE HWY 48
BIRCHWOOD WI 54817

Mailing Address:

S A HAYES LLC
14647W STATE HWY 48
BIRCHWOOD WI 54817

**Site Address** * indicates Private Road

N/A

**Property Assessment**

Updated: 4/10/2023

2023 Assessment Detail

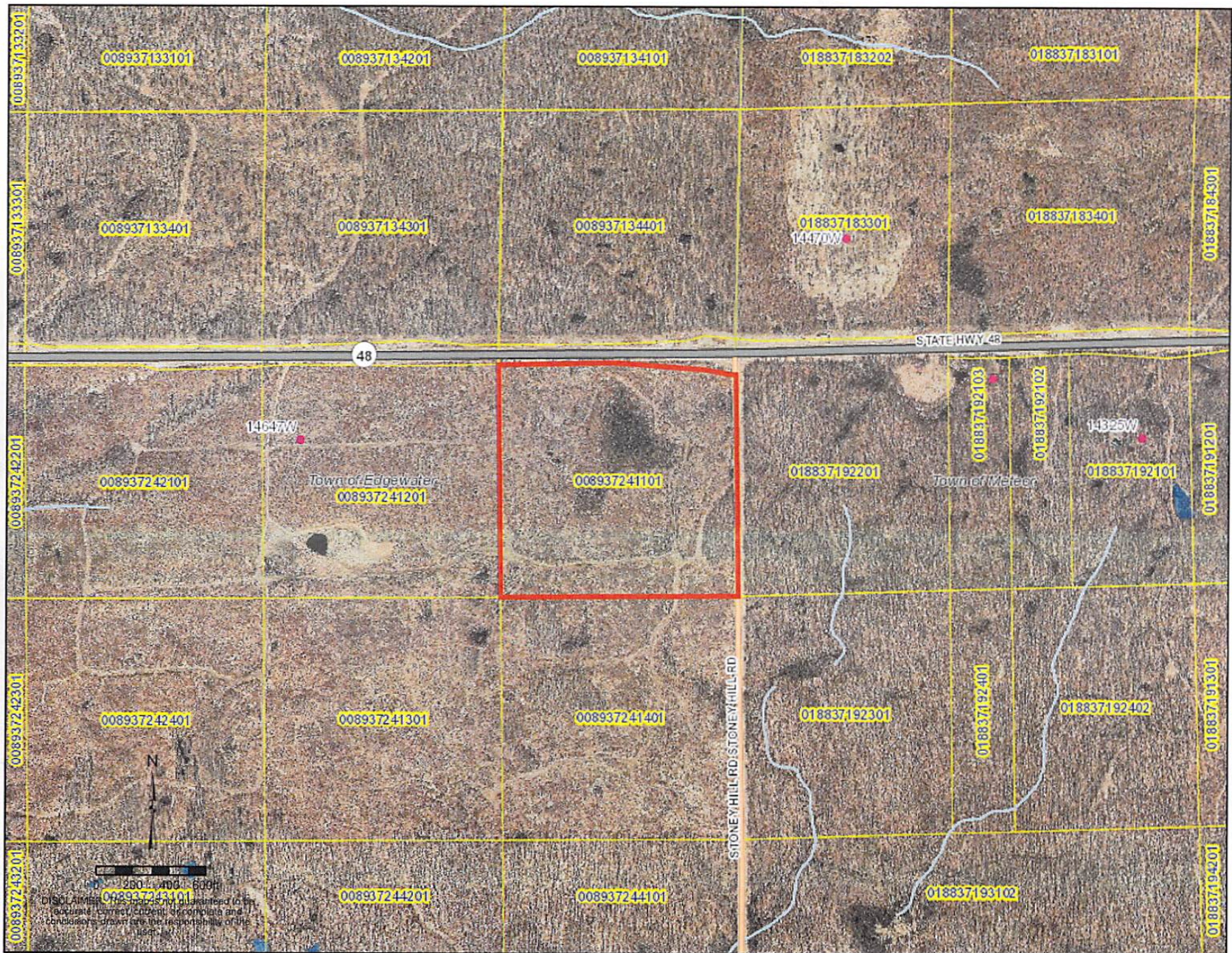
Code	Acres	Land	Imp.
W5-MFL OPEN - AFTER 2004	40.000	60,000	0

2-Year Comparison	2022	2023	Change
Land:	60,000	60,000	0.0%
Improved:	0	0	0.0%
Total:	60,000	60,000	0.0%

**Property History**

N/A









US-WI-5594 Wooddale search area/1 mile



2 EXISTING TRAIL PHOTO
VIEW LOOKING SOUTHWEST



3 EXISTING ACCESS
VIEW LOOKING NORTHEAST



4 SITE PHOTO
VIEW LOOKING WEST



1 OVERALL SITE PLAN WITH AERIAL
SCALE 1" = 500'-0"



NOT FOR
CONSTRUCTION

DESIGN 1

8877 VALLEY VIEW RD.
EKEN PRairie, MN 55444
(952) 463-6090
WWW.CESGATER.COM

verticalbridge

PROJECT
20222401450
LOC. CODE: 765533

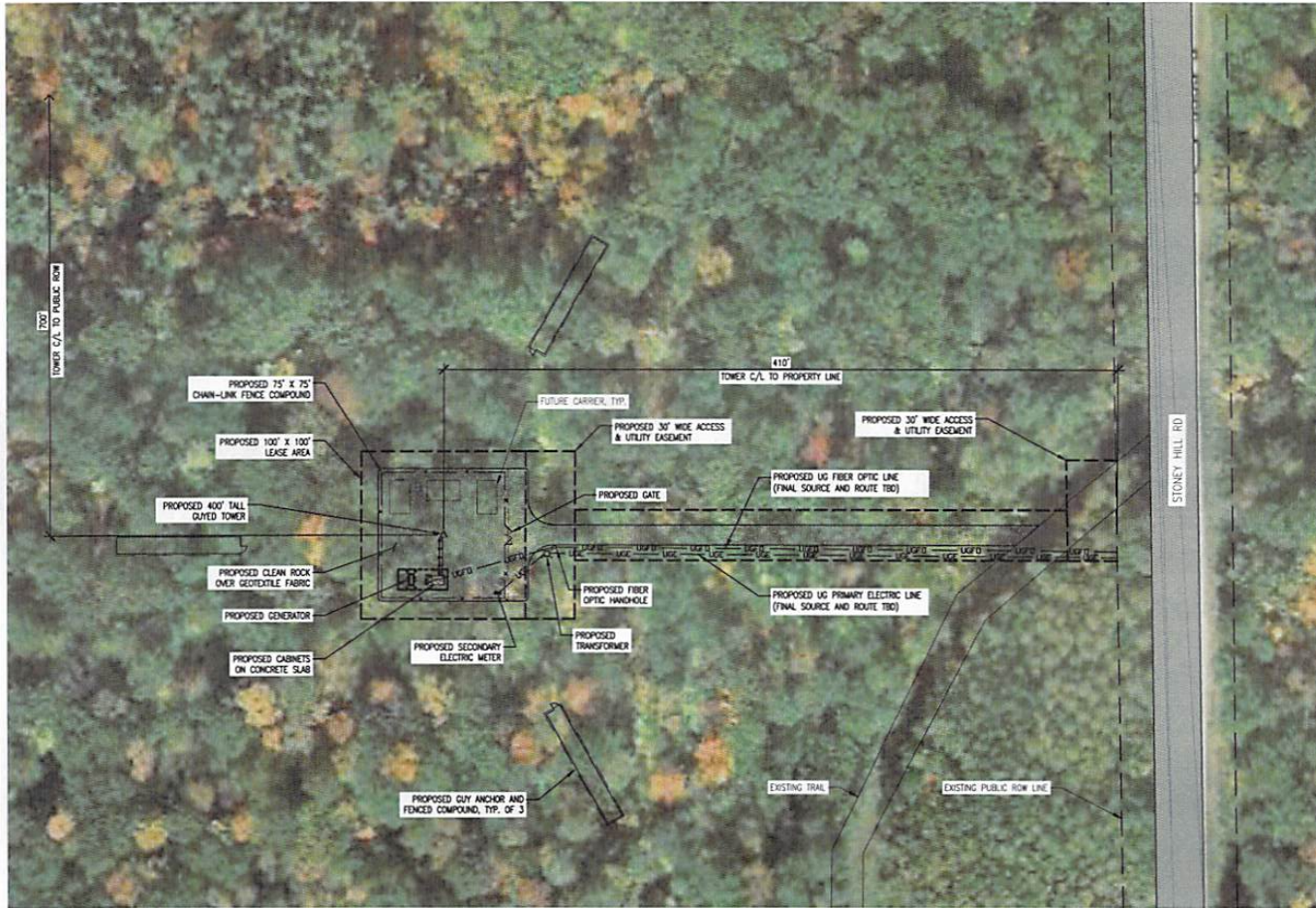
WI02
WOODDALE

14547 W STATE HWY 48
BIRCHWOOD, WI 54814

SHEET CONTENTS
OVERALL SITE PLAN WAERIAL
PHOTOS

DRAWN BY: S.O.
CHECKED BY: TAB
V1: 03-15-23

LE-1



1 OVERALL SITE PLAN
SCALE 1" = 60'-0"



NOT FOR
CONSTRUCTION

DESIGN 1

8073 VALLEY VIEW RD.
EAGAN PRairie, WI 53444
(262) 903-8299
WWW.DESIGN1.COM

verticalbridge

PROJECT
20222401450
LOC. CODE: 765533

W102
WOODDALE

14547 W STATE HWY 48
BIRCHWOOD, WI 54814

SHEET CONTENTS:
OVERALL SITE PLAN

DRAWN BY: SJD
CHECKED BY: TAD
DATE: 02-15-23

LE-2





Conditional Use Permit Request STAFF REPORT

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

File: # CUP 23-027

Applicant:

Xavier Cummings & Carly Somerville
10030N McClaine Road
Hayward, WI 54843

Property Location & Legal Description:

Town of Round Lake. South $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; S32, T41N, R07W; Parcel #024-741-32-2202 and Parcel #024-741-32-2102; Tax ID# 26114 and 26112, 20 acres each for a total of 40 acres; Both Zoned Forestry One (F-1).

Request: Permit desired to have horses in a non-agricultural zone district. Per section 4.6 of the Sawyer County Ordinance with automatic requirements of this subsection. Applicant is requesting the ability to have 2 horses on the property with no stallions.

Project History & Summary of Request: In conversation with the owner they are seeking a conditional use permit to allow keeping horses on their newly purchased property which is zoned F-1. As per the Sawyer County Zoning Ordinance Section 4.6 requires granting on a Conditional Use Permit with the following requirements:

- 1) Horses shall be permitted only on lots where a conditional use permit has been granted or on Agricultural zoned lands with Town approval. In acting on any conditional use permit for horses, the Zoning Committee may impose such conditions as are necessary to secure the objectives of this chapter, including, but not limited to, the alteration, demolition, or reconstruction of existing structures within the time limits established by the Zoning Committee, giving consideration, to the purposes of the chapter.
- 2) In addition to the general requirements of this chapter and any conditions imposed in approving the conditional use permit, each site shall conform to the following:
 - (a) Minimum lot size: Five acres. (total of 40 acre property with the 2 lots)
 - (b) Number of horses permitted: The maximum number shall be set by the conditional use permit and shall depend on the specific site characteristics and conditions of the permit. The characteristics to be considered shall include, but not limited to: access to roads and equestrian trails; road conditions; streams and waterways; watersheds;

vegetation; surrounding properties; slope; and visual impacts. (applicant is requesting for 2 horses at this time)

- 3) Stalls and corrals: New construction or remodeled stalls shall be a minimum 12 by 12 feet in size, and existing stalls shall be a minimum 10 by 10 feet in size. All stables shall have room turnouts. Turnouts shall have water for horses. Each horse shall have shelter available. (unknown stall and corral area at this point new construction anticipated with approval of CUP)
- 4) Boarding: Up to 50% of the permitted horses may be boarded horses.
- 5) Setbacks: For any new stable, at the time of construction, the stable shall be located not less than 20 feet from the nearest property line, recognizing that the Zoning Committee may require a greater setback in issuing a conditional use permit for the use based on existing site conditions and surrounding site conditions. Turnout and riding rings, fences shall be a minimum distance of 50 feet from neighboring property line. Other setback requirements shall be as defined in the County's Zoning Ordinance. (all new construction of stables or fencing to meet a 50' setback requirement)
- 6) Residence: There shall be a full-time residence owner. (applicant resides at property)
- 7) Stallions: Fencing shall be six feet in height. Signs shall be posted on stall doors, Turnout gates, and fences adjacent to trails indicating a stallion is kept therein. The owner shall disclose on the stable permit that a stallion is on premises. (no stallions requested)

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 CUP #23-027 is to remain with the property and no just limited to current owner
- 2 Maximum number of horses not to exceed 2 unless additional CUP is granted. No Stallions allowed.

- 3 Must meet all provisions as specified in Section 4.6 Sawyer County Zoning Ordinance including corrals, stables, and fencing to be setback a minimum of 50' from adjacent property lines.
- 4 All other Town, County, State, Federal Laws are followed

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

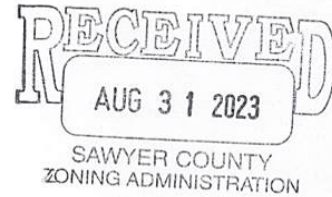
- 1 It would not be damaging to the rights of others or property values
- 2 It would not be detrimental to ecology, wild life, wetlands or shorelands.
- 3 It would not create an air quality, water supply, or pollution problem.
- 4 It would not create topographical problems such as run off, drainage, 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 be consistent with the Town and/or County Comprehensive Plan
- 9 It would not create an objectionable view.

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

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



Conditional Use Public Hearing Application



TO: Sawyer County Zoning and Conservation Administration

10610 Main Street Suite 49

Hayward, Wisconsin 54843

Attn: Kathy Marks E-mail: kathy.marks@sawyercountygov.org

Phone: 715-638-3225

Property Owner Name & Address:

Xavier G. Cummings & Corly C. Somerville
10030 N McClaine Rd
Hayward, WI 54843

Phone: 715-580-0472

Email: XCummings3@gmail.com

Property description including Parcel Number:

20 ACS PARCEL # 024-741-32-2102 Parcel Tax ID's 26112 & 26114
20 ACS PARCEL # 024-741-32-2202

Section 32 T 41N R7W S 1/2 NE 1/4
S 1/2 NW 1/4
10030 N McClaine Rd Hayward, WI 54843

Permit desired for:

Conditional use permit to allow horses in F-1 zone district
Section 4.6 Sawyer County Zoning Ordinance
2 Horses, No Stallions

Xavier Cummings

Xavier Cummings

Owner Print & Sign

Owner Print & Sign

Signature of property owner(s) required. The undersigned person(s) hereby give permission for access to the property for inspection by Municipal Officials, Sawyer County Zoning Staff and Sawyer County Zoning Committee members if needed.

Name, Address, Phone & Email of Agent or Buyer:

Fee: \$350.00

Gravel Pit renewal \$300.00

Date of Public Hearing: Nov. 15, 2023

Rev January 2023

Real Estate Sawyer County Property Listing

Today's Date: 9/8/2023

Property Status: Current

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

**Description**

Updated: 1/20/2022

Tax ID:	26114
PIN:	57-024-2-41-07-32-2 02-000-000020
Legacy PIN:	024741322202
Map ID:	.6.2
Municipality:	(024) TOWN OF ROUND LAKE
STR:	S32 T41N R07W
Description:	S1/2 NWNW
Recorded Acres:	20.000
Calculated Acres:	19.481
Lottery Claims:	1
First Dollar:	Yes
Zoning:	(F-1) Forestry One
ESN:	404

**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: 8/31/2023

TRUSTEES DEED	
Date Recorded: 8/22/2023	446026
SPECIAL WARRANTY DEED	
Date Recorded: 3/31/2011	371951
WARRANTY DEED	
Date Recorded: 9/8/1976	156677
NOTE	
Date Recorded:	

**Ownership**

Updated: 8/31/2023

XAVIER G CUMMINGS	HAYWARD WI
CARLY C SOMERVILLE	HAYWARD WI

Billing Address:

XAVIER G CUMMINGS
10030N MC CLAIN RD
HAYWARD WI 54843

Mailing Address:

XAVIER G CUMMINGS
10030N MC CLAIN RD
HAYWARD WI 54843

**Site Address** * indicates Private Road

10030N MC CLAIN RD	HAYWARD 54843
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**Property Assessment**

Updated: 7/16/2019

2023 Assessment Detail

Code	Acres	Land	Imp.
G1-RESIDENTIAL	1.000	11,000	139,500
G6-PRODUCTIVE FOREST	19.000	28,500	0

2-Year Comparison

	2022	2023	Change
Land:	39,500	39,500	0.0%
Improved:	139,500	139,500	0.0%
Total:	179,000	179,000	0.0%

**Property History**

N/A

Real Estate Sawyer County Property Listing

Today's Date: 9/8/2023

Property Status: Current

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

**Description**

Updated: 1/20/2022

Tax ID:	26112
PIN:	57-024-2-41-07-32-2 01-000-000020
Legacy PIN:	024741322102
Map ID:	.5.2
Municipality:	(024) TOWN OF ROUND LAKE
STR:	S32 T41N R07W
Description:	S1/2 NENW
Recorded Acres:	20.000
Calculated Acres:	20.102
Lottery Claims:	0
First Dollar:	No
Zoning:	(F-1) Forestry One
ESN:	404

**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: 8/31/2023

TRUSTEES DEED	
Date Recorded: 8/22/2023	446026
SPECIAL WARRANTY DEED	
Date Recorded: 3/31/2011	371951
WARRANTY DEED	
Date Recorded: 9/8/1976	156677
NOTE	
Date Recorded:	

**Ownership**

Updated: 8/31/2023

XAVIER G CUMMINGS	HAYWARD WI
CARLY C SOMERVILLE	HAYWARD WI

Billing Address:

XAVIER G CUMMINGS
10030N MC CLAIN RD
HAYWARD WI 54843

Mailing Address:

XAVIER G CUMMINGS
10030N MC CLAIN RD
HAYWARD WI 54843

**Site Address** * indicates Private Road

N/A

**Property Assessment**

Updated: 7/16/2019

2023 Assessment Detail

Code	Acres	Land	Imp.
G6-PRODUCTIVE FOREST	20.000	30,000	0

2-Year Comparison

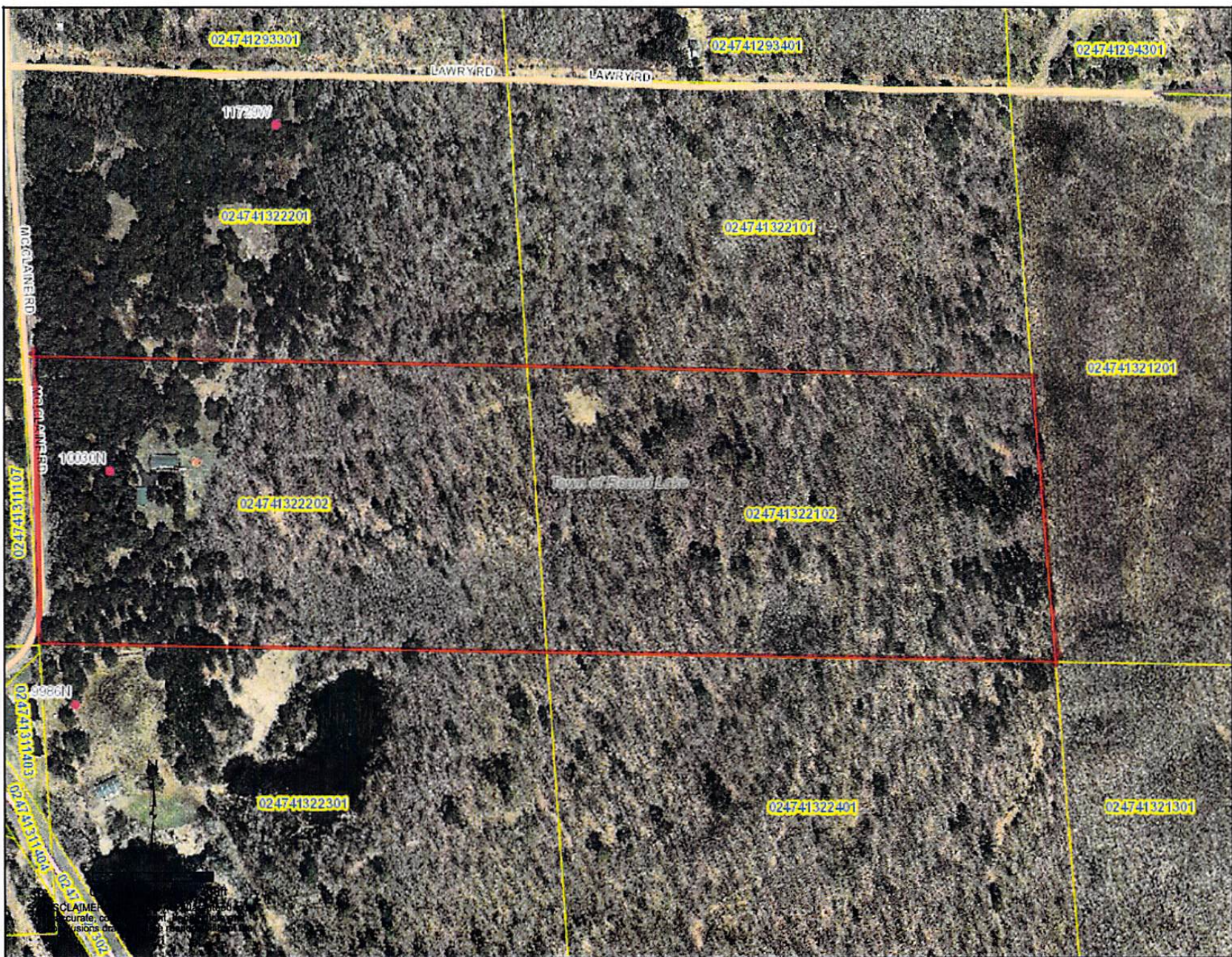
	2022	2023	Change
Land:	30,000	30,000	0.0%
Improved:	0	0	0.0%
Total:	30,000	30,000	0.0%

**Property History**

N/A

**SECTION 4.6 HORSES IN NON-AGRICULTURAL ZONE DISTRICTS
(RR-1, RR-2 and F-1 Zone Districts)**

- 1) Horses shall be permitted only on lots where a conditional use permit has been granted or on Agricultural zoned lands with Town approval. In acting on any conditional use permit for horses, the Zoning Committee may impose such conditions as are necessary to secure the objectives of this chapter, including, but not limited to, the alteration, demolition, or reconstruction of existing structures within the time limits established by the Zoning Committee, giving consideration, to the purposes of the chapter.
- 2) In addition to the general requirements of this chapter and any conditions imposed in approving the conditional use permit, each site shall conform to the following:
 - (a) Minimum lot size: Five acres.
 - (b) Number of horses permitted: The maximum number shall be set by the conditional use permit and shall depend on the specific site characteristics and conditions of the permit. The characteristics to be considered shall include, but not limited to: access to roads and equestrian trails; road conditions; streams and waterways; watersheds; vegetation; surrounding properties; slope; and visual impacts.
- 3) Stalls and corrals: New construction or remodeled stalls shall be a minimum 12 by 12 feet in size, and existing stalls shall be a minimum 10 by 10 feet in size. All stables shall have room turnouts. Turnouts shall have water for horses. Each horse shall have shelter available.
- 4) Boarding: Up to 50% of the permitted horses may be boarded horses.
- 5) Setbacks: For any new stable, at the time of construction, the stable shall be located not less than 20 feet from the nearest property line, recognizing that the Zoning Committee may require a greater setback in issuing a conditional use permit for the use based on existing site conditions and surrounding site conditions. Turnout and riding rings, fences shall be a minimum distance of 50 feet from neighboring property line. Other setback requirements shall be as defined in the County's Zoning Ordinance.
- 6) Residence: There shall be a full-time residence owner.
- 7) Stallions: Fencing shall be six feet in height. Signs shall be posted on stall doors, Turnout gates, and fences adjacent to trails indicating a stallion is kept therein. The owner shall disclose on the stable permit that a stallion is on premises.



Conditional Use Permit Request STAFF REPORT

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

File: # CUP 23-028

Applicant:

Hayward Sno Mads Snowmobile Club Inc
PO BOX 814
Hayward, WI 54843



Agent/President: John Welter

Property Location & Legal Description:

Town of Lenroot. Part of the SW ¼ of the SE ¼; S21, T41N, R08W; Parcel #014-842-21-4302; Tax ID# 17148; 15 total acres; Zoned Agricultural One (A-1).

Request: Permit requested for Hayward Sno-Mads storage building 40' x 60' x 19'H; Subject to section 17.4 (B) (13),(18),(25) for snowmobile grooming equipment storage.

Project History & Summary of Request: Per conversations with the applicant they are requesting a CUP to construct a snowmobile grooming equipment building. There would be no other business or commercial use to occur with this building. As per Section 17.4 (B) Uses Authorized by a Conditional Use Permit within the A-1 zone district it includes:

(13) mini storage unit warehouse

(18) transportation terminals

(25) like or similar uses in the opinion of the Sawyer County Zoning Committee, subject to the procedures for obtaining a conditional use permit.

While a snowmobile grooming equipment building is not specifically specified under a Conditional Use items there are several indicated that are like or similar uses.

See possible conditions as specified in staff report. Proposed building to meet all other setback requirements.

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 meet 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 CUP #23-028 is limited to the property owner for Hayward Sno Mads equipment storage only.
- 2 Size of building not to exceed 2400 sq ft and be less than 19' in height.
- 3 No habitable area or other commercial use allowed
- 4 All signage must meet Sawyer County Zoning Ordinance Requirements.
- 5 All other Town, County, State, Federal Laws are followed include compliant zoning setbacks.

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

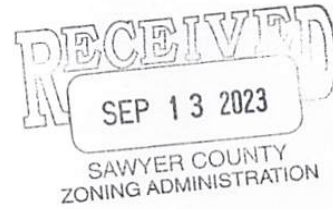
- 1 It would not be significantly damaging to the rights of others or property values
- 2 It would not be detrimental to ecology, wild life, wetlands or shorelands.
- 3 It would not create an air quality, water supply, or pollution problem.
- 4 It would not create topographical problems such as run off, 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 be consistent with the Town and/or County Comprehensive Plan
- 9 It would not create an objectionable view.

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

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



Conditional Use Public Hearing Application



TO: Sawyer County Zoning and Conservation Administration
10610 Main Street Suite 49
Hayward, Wisconsin 54843

Attn: Kathy Marks E-mail: kathy.marks@sawyercountygov.org

Phone: 715-638-3225

Property Owner Name & Address:

HAYWARD SNO-MADS SNOWMOBILE CLUB INC
PO Box 814
HAYWARD, WI 54843

Phone: 715-634-4175

Email: nelsonlake19nding@gmail.com

Property description including Parcel Number:

TAX ID 17148
PIN 57-014-2-42-08-21-403-000-000020
LEGACY PIN 014842214302
MAP ID 15.2 STR: 521TA2N R08W
MUNICIPALITY (014) TOWN OF LEHROOT DESCRIPTION PRT SWSE
13586 W Thannum Rd. ZONING A-1

Permit desired for:

HAYWARD SNO-MADS STORAGE BUILDING (EQUIPMENT) 40'x60' 14' H
Subject to section 17.4(B)(25) - snowmobile grooming equipment
also would fall under Section 17.4(B)(13), (18)

John Welter PRESIDENT
JOHN WELTER

Owner Print & Sign

Owner Print & Sign

Signature of property owner(s) required. The undersigned person(s) hereby give permission for access to the property for inspection by Municipal Officials, Sawyer County Zoning Staff and Sawyer County Zoning Committee members if needed.

Name, Address, Phone & Email of Agent or Buyer:

Fee: \$350.00

Gravel Pit renewal \$300.00

Date of Public Hearing: November 15, 2023

Rev January 2023

Real Estate Sawyer County Property Listing

Today's Date: 9/14/2023

Property Status: Current
Created On: 2/6/2007 7:55:29 AM

**Description**

Updated: 6/20/2019

Tax ID:	17148
PIN:	57-014-2-42-08-21-4 03-000-000020
Legacy PIN:	014842214302
Map ID:	.15.2
Municipality:	(014) TOWN OF LENROOT
STR:	S21 T42N R08W
Description:	PRT SWSE
Recorded Acres:	15.000
Calculated Acres:	14.855
Lottery Claims:	0
First Dollar:	Yes
Zoning:	(A-1) Agricultural One
ESN:	400

**Tax Districts**

Updated: 2/6/2007

1	State of Wisconsin
57	Sawyer County
014	Town of Lenroot
572478	Hayward Community School District
001700	Technical College

**Recorded Documents**

Updated: 5/19/2023

WARRANTY DEED	
Date Recorded: 5/5/2023	444356
WARRANTY DEED	
Date Recorded: 8/23/1996	256262

**Ownership**

Updated: 5/19/2023

HAYWARD SNO MADs SNOWMOBILE CLUB INC HAYWARD WI

Billing Address:

HAYWARD SNO MADs
SNOWMOBILE CLUB INC
PO BOX 814
HAYWARD WI 54843

Mailing Address:

HAYWARD SNO MADs
SNOWMOBILE CLUB INC
PO BOX 814
HAYWARD WI 54843

**Site Address** * indicates Private Road

13586W THANNUM FIRE LN HAYWARD 54843

**Property Assessment**

Updated: 9/26/2014

2023 Assessment Detail

Code	Acres	Land	Imp.
G1-RESIDENTIAL	1.000	9,000	6,000
G6-PRODUCTIVE FOREST	14.000	23,800	0

2-Year Comparison

	2022	2023	Change
Land:	32,800	32,800	0.0%
Improved:	6,000	6,000	0.0%
Total:	38,800	38,800	0.0%

**Property History**

N/A

014842213105

014842214201

014842213405

014842213401

014842213404

Town of Lenroot
014842214302

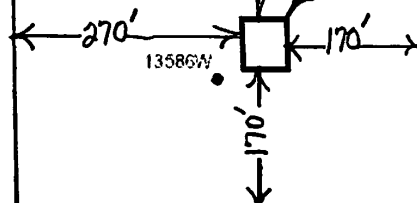
014842214301

014842214303

13618W

13586W

40'x60'



0 100 200 300R
ROW

DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

014842282101

014140000100

014140000200

THANNUM FIRE LN

THANNUM FIRE LN

014842281201

