



Sawyer County

Agenda

Zoning Committee Meeting

Friday, April 19, 2024 @ 8:30 AM

Sawyer County Board Room - Sawyer County Courthouse

Revised Wednesday, April 17, 2024 9:28 AM

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](tel: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

5 - 6

c. State of Committee and Hearing Procedure & Statement of Hearing Notice

[Statement of Comm. Hearing Procedure & Hearing Notice](#)

7 - 11

d. Approval of Previous Meeting Minutes. (A copy of the audio recording of this meeting and video may be found at sawyercountygov.org for more information).

[3-15-2024 ZC Minutes](#)

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

12 - 23

- a. A Public Hearing in the Town of Sand Lake. RZN #24-004. Owner: Lester Troyer. Part of the NE ¼ of the NE ¼. Part Lot 1 CSM 5-324 #1069; S17, T39N, R09W; Parcel #026-939-17-1104; Tax ID#28599; .620 total acres; Zoned Agricultural One (A-1) & Commercial One (C-1) and Part of the NE ¼ of the NE ¼; S17, T39N, R09W; Parcel #026-939-17-1106; Tax ID #28601; 2.54 total acres; Zoned Commercial One (C-1). Purpose of request is to rezone entirety of both properties to Residential/Recreational One (RR-1) to be able to divide the property into a different configuration and sell newly created lots as non-commercial residential lots.

[RZN #24-005, Lester & Katie Troyer pkt.](#)

- b. Discussion/Action in the Town of Sand Lake. RZN #24-004. Owner: Lester Troyer. Part of the NE ¼ of the NE ¼. Part Lot 1 CSM 5-324 #1069; S17, T39N, R09W; Parcel #026-939-17-1104; Tax ID#28599; .620 total acres; Zoned Agricultural One (A-1) & Commercial One (C-1) and Part of the NE ¼ of the NE ¼; S17, T39N, R09W; Parcel #026-939-17-1106; Tax ID #28601; 2.54 total acres; Zoned Commercial One (C-1). Purpose of request is to rezone entirety of both properties to Residential/Recreational One (RR-1) to be able to divide the property into a different configuration and sell newly created lots as non-commercial residential lots.

24 - 34

- c. A Public Hearing in the Town of Winter. RZN #24-006. Owner: Phyllis TePaske. Part of the NE ¼ of the SE ¼, Lot 1 CSM 34-285 #8184; S17, T38N, R03W; Parcel #032-338-17-4112; Tax ID #42680; 7.13 total acres; Zoned Residential/Recreational One (RR-1). Purpose of request is to rezone approximately 1.15 acres of Residential/Recreational One (RR-1) to Commercial One (C-1) for having ability to purchase the land that is currently being leased for the building that is being used for the Loretta Trail Blazers snowmobile and ATV club. The current building would then be on its own separate commercial lot which would be a permitted use within the Commercial One (C-1) zone district.

[RZN #24-006, Phyllis TePaske pkt.](#)

- d. Discussion/Action in the Town of Winter. RZN #24-006. Owner: Phyllis TePaske. Part of the NE ¼ of the SE ¼, Lot 1 CSM 34-285 #8184; S17, T38N, R03W; Parcel #032-338-17-4112; Tax ID #42680; 7.13 total acres; Zoned Residential/Recreational One (RR-1). Purpose of request is to rezone approximately 1.15 acres of Residential/Recreational One (RR-1) to Commercial One (C-1) for having ability to purchase the land that is currently being leased for the building that is being used for the Loretta Trail Blazers snowmobile and ATV club. The current building would then be on its own separate commercial lot which would be a permitted use within the Commercial One (C-1) zone district.

4. CONDITIONAL USE APPLICATIONS

35 - 51

- a. A Public Hearing in the Town of Lenroot, CUP #24-008, Owner: Town of Lenroot, Lenroot Shop Pit. Part of the W1/2 of the SW, Lot 1 CSM 31-321 #7787; S31, T42N, R08W; Parcel #014-842-31-3206; Tax ID# 41068; Zoned Commercial One (C-1); Total acres 15.53. Permit desired for the 5-year renewal of CUP #00-007 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on April 20, 2000 and most recently renewed on April 16, 2019.
[CUP #24-008, Town of Lenroot, Lenroot Shop Pit pkt.](#)
- b. Discussion/Action in the Town of Lenroot, CUP #24-008, Owner: Town of Lenroot, Lenroot Shop Pit. Part of the W1/2 of the SW, Lot 1 CSM 31-321 #7787; S31, T42N, R08W; Parcel #014-842-31-3206; Tax ID# 41068; Zoned Commercial One (C-1); Total acres 15.53. Permit desired for the 5-year renewal of CUP #00-007 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on April 20, 2000 and most recently renewed on April 16, 2019.

52 - 67

- c. A Public Hearing in the Town of Round Lake. CUP #24-009. Owner: A-1 Plumbing, Joan's Pit. Part of the SW 1/w of the NW ¼. S12, T41N, R08W; Parcel #024-841-12-2301, Tax ID #26595. And the SE ¼ of the NE ¼; S11, T41, R08W; Parcel #024-841-11-1401; Tax ID #26546. Both zoned Forestry One (F-1). 60 total acres. Known as Joan's Pit. Permit desired for the 5-year renewal of CUP #13-005 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on June 21, 2013 and most recently renewed on April 16, 2019.
[4-19-24 CUP #24-009, A-1 Plumbing, Joan's Pit pkt.](#)
- d. Discussion/Action in the Town of Round Lake. CUP #24-009. Owner: A-1 Plumbing, Joan's Pit. Part of the SW 1/w of the NW ¼. S12, T41N, R08W; Parcel #024-841-12-2301, Tax ID #26595. And the SE ¼ of the NE ¼; S11, T41, R08W; Parcel #024-841-11-1401; Tax ID #26546. Both zoned Forestry One (F-1). 60 total acres. Known as Joan's Pit. Permit desired for the 5-year renewal of CUP #13-005 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on June 21, 2013 and most recently renewed on April 16, 2019.

5. PROPOSED ORDINANCE AMENDMENTS

- a. ***Zoning Administrator requested postponement of Public Hearing.**
A Public Hearing for Sawyer County Zoning Ordinance Amendment to Section 2.0-Definitions, Section 8.2-Procedure, Section 17.0-Zone Districts, and Sawyer County Shoreland-Wetland Protection Ordinance Section 3.4-Prohibited Used, Section 5.1-Minimum Lot Size Purpose, and Section 16.0-Definitions. The proposed amendments are in reference to Multi-Dwelling Development. The proposed ordinance amendment changes can be found on the Sawyer County Zoning & Conservation Website. Discussion/Possible Action to Send to County

6. NEW BUSINESS

- 68 - 84 a. Ordinance Amendment for “multi-dwelling development”
(Discussion/Possible Action to send to Towns) Proposed Ordinance
Amendment can be found on Sawyer County Zoning Website.
[Multi-Dwelling Development V6 clean](#)
[Multi-Dwelling Development redline comparison V5.4 to V6](#)
[redline](#)
[Multi-Dwelling Development redline comparison from current](#)
[zoning ordinance to V6](#)
- 85 b. Draft ordinance amendment to remove platted subdivision restrictions
from storage shed exemption of Section 4.26 of the Sawyer County
Zoning Ordinance. The proposed amendment changes can be found on
the Sawyer County Zoning Website. (Discussion/Action to send to
Towns.)
[Proposed Ordinance Amendment for Storage Shed Exemption](#)
- 86 - 98 c. Tourist Rooming House - Draft Ordinance (Discussion Only)
[TRH Draft Ordinance](#)
- d. Any new business that may come before the Committee for discussion.

7. 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
March 17, 2023**

Zoning Committee Members

Ron Buckholtz, Chairman
Stacey Hessel
Tweed Shuman
Kay Wilson
John Righeimer

Zoning Administration

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

PRELIMINARY MATTERS

1) Call to Order and Roll Call

Buckholtz called the Public Hearing before the Sawyer County Zoning Committee to order at 8:30 AM at the Sawyer County Courthouse 10610 Main St. Hayward, Wisconsin. Roll call finds present: Ron Buckholtz, Stacey Hessel, Tweed Shuman, Kay Wilson, and John Righeimer. From the Zoning Office: Jay Kozlowski and Kathy Marks. Rebecca Roecker, Legal Counsel – virtual.

2) Pledge of Allegiance.

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

4) Approval of February 16, 2024 minutes. Motion by Hessel to approve the February 16, 2024 minutes, second by Buckholtz. All in favor. A copy of the audio recording of this meeting and video may be found at sawyercountygov.org for more information.

5) Public Comment. Linda Zillmer, Edgewater property owner speaks of By-Laws.

REZONE APPLICATION

a) A Public Hearing in the Town of Hayward. RZN #24-003. Owner: Kenneth & Janelle Disher. Part of the NW ¼ of the NW ¼; S36, T41N, R09W; Parcel #010-941-36-2201; Tax ID #13400; Zoned Forestry One (F-1); 40 total acres. Purpose of request is to rezone the 40 total acres from Forestry One (F-1) to Residential One (R-1) with intended subdivision and residential build. Kozlowski reads the application, staff report, and Town opinion. Opinion letters were sent to Committee members and acknowledged they read them. Motion to open the public hearing portion of the application by Shuman, second by Wilson. All in favor. Kenneth Disher, property owner speaks in favor of the application. Discussion held with Committee. No other comments. Motion to close the public hearing

portion of the application by Wilson, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Motion to approve the application by Shuman with findings of fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems, 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Preserve wetlands. 11) Conserve soil, water and forest resources. 12) Protect the beauty and amenities of landscape and man-made developments. 13) Provide healthy surroundings for family life. Second by Righeimer. Roll call finds: Buckholtz – yes, Hessel – yes, Wilson – no, Shuman – yes, Righeimer – yes. 4 to 1 in favor of the application.

b) A Public Hearing in the Town of Draper. RZN #24-004. Owner: Jeffery Hunt & Diane Korzinek. Village of Loretta, Lots 14 & 15 & 13, all in Block 3; S03, T39N, R04W; Parcel #006-146-03-1400 & 006-146-03-1300; Tax ID #5746 & #5745; both zoned Residential One (R-1); 1.308 total acres. Purpose of request is to rezone the 1.308 total acres from Residential One (R-1) to Commercial One (C-1) to create an auto repair shop. As per section 17.6 C-1: Commercial One, (A) (10) a permitted use in the Sawyer County Zoning Ordinance. Kozlowski reads the application, staff report, Town opinion. Opinion letters were sent to Committee members and acknowledged they read them. Kozlowski reads one late arriving opinion letter. Motion to open the public hearing portion of the application by Hessel, second by Shuman. All in favor. Jeffrey Hunt, owner speaks in favor of the application. Discussion held with Committee. Steve Beining, Town of Draper speaks against the application. No other comments. Motion to close the public hearing portion of the application by Wilson, second by Hessel. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion with Committee and Kozlowski held. Motion by Wilson to deny the application with findings of fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Protect property values and the property tax base. 4) Permit the careful planning and efficient maintenance of highway systems. 5) Ensure adequate highway, utility, health, educational and recreational facilities. 6) Recognize the needs of agriculture, forestry, industry and business in future growth. 7) Encourage uses of land and other natural resources which are in accordance with their character and adaptability. 8) Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems. 9) Encourage the protection of groundwater resources. 10) Conserve soil, water and forest resources. 11) Protect the beauty and amenities of landscape and man-made developments. 12) Provide healthy surroundings for family life. 13) Promote the efficient and economical use of public funds. Also included are Town Facts: All no (or n/a) objections of 2 adjacent neighbors,

R-1 zoning protects from “incompatible uses”, inconsistent with Town comprehensive plan, environmental concerns. Planning Commission recommends denial Town Board recommends Denial. Second by: Righeimer. No Discussion held. Roll call finds: Hessel – yes, Wilson – yes, Shuman – yes, Buckholtz – yes, Righeimer – yes. All in favor to deny the application.

CONDITIONAL USE APPLICATION

a) A Public Hearing in the Town of Hayward. CUP #24-007. Owner: Hayward Demo LLC & Select Land Holdings LLC. Part of the SE ¼ of the SE ¼. Lots 1-4 CSM 6-149 #1195; S31, T41N, R09W; Tax ID #13079; 6.97 total acres; Zoned Commercial One (C-1). Part of the SW ¼ of the SW ¼ & the NW ¼ of the SW ¼, Lot A CSM 6/151 #1196; S12, T41N, R09W; Parcel #010-941-32-3304; Tax ID# 13123; 3.26 total acres; Zoned Industrial One (I-1). Part of the NW ¼ of the SW ¼, Lot 1-4 CSM 6/77 #1154; S32m T41N, R09W; Parcel #010-941-32-3204; Tax ID #13118; 19.20 total acres; Zoned Forestry One (F-1) & Industrial One (I-1). The NW ¼ of the NW ¼; S32, T41N, R09W' Parcel #010-941-32-2201; Tax ID#13105; 40 total acres; Zoned Forestry One (F-1). Part of the NE ¼ of the NW ¼, Lot 1 CSM 31-30 #7660; S32, T41N, R09W; Parcel #010-941-32-2103; Tax ID #40450; 13.74 total acres; Zoned Agricultural One (A-1). Permit desired for early renewal for a non-metallic mineral extraction operation including rock crusher. Early renewal requested as there is a change of owner/operator and change in plan of operation. The CUP was originally approved at public hearing on May 18, 2001. Kozlowski reads the application, staff report and Town opinion. No opinion letters returned. Motion to open the Public hearing portion of the application by Hessel, second by Shuman. All in favor. Darryl Mast, owner speaks in favor of the application. Discussion with Committee and Kozlowski. No other comments. Motion to close the public hearing portion of the application by Shuman, second by Wilson. All in favor. Kozlowski reads the discussion/action portion of the application. Discussion held with Committee, Kozlowski and Rebecca Roeker, Legal Counsel. Motion to approve the application with conditions of: 1) Maintain compliance with NR 135. 2) Maintain compliance with Plan of Operation including normal hours of operation from 6am-7pm, Monday through Saturday, between the months of April – December. 3). Crushing to occur once or twice a year 6am-10pm. Monday – Saturday, between March 1st – December 31st (excluding holidays. Optional crushing hours for 24 hours per day Monday through Saturday (excluding holidays) for a period no longer than 3 weeks per year. 4) Maintain compliance with Dept. of Natural Resources Chapter 30. 5) All other Town, County, State, Federal Laws are followed. Applicant does agree with the conditions placed on the application. Findings of Fact: 1) Promote the public health, safety, convenience and general welfare. 2) Encourage planned and orderly land use development. 3) Permit the careful planning and efficient maintenance of highway systems. 4) Recognize the needs of agriculture, forestry, industry and business in future growth. Second by Righeimer. Discussion continues with Committee, Roeker and Kozlowski for Act 12. Roll call finds: Wilson – yes, Shuman – yes, Hessel – yes, Righeimer – yes, Buckholtz – yes. All in favor.

Buckholtz calls for a short break. Buckholtz calls meeting back to order at 9:20am.

Shuman leaves meeting.

PROPOSED ORDINANCE AMENDMENTS

a) A Public Hearing for Sawyer County Zoning Ordinance Amendment to Section 2.0-Definitions, Section 8.2-Procedure, Section 17.0-Zone Districts, and Sawyer County Shoreland-Wetland Protection Ordinance Section 3.4-Prohibited Used, Section 5.1-Minimum Lot Size Purpose, and Section 16.0-Definitions. The proposed amendments are in reference to Multi-Dwelling Development. The proposed ordinance amendment changes can be found on the Sawyer County Zoning & Conservation Website. Discussion/Possible Action to Send to County Board of Supervisors. Kozlowski reads the Proposed Amendment, changes & Town opinions. Discussion with Rebecca Roeker, corporation counsel, Kozlowski and Committee regarding a 2/2 vote and Roberts Rules. Rebecca Roeker, Corporation Legal Counsel advised. Kozlowski continues reading Town opinions. Discussion continues with Committee, Kozlowski, and Rebecca Roeker, Legal Counsel regarding postponement and changes to Amendment. Motion by Hessel to postpone the proposed amendment until April, second by Buckholtz. Rebecca Roeker, Legal Counsel advises that this needs to be postponed and send to Towns for their opinions and have a public hearing. Discussion held. Roll call finds: Buckholtz – yes, Hessel – yes, Righeimer – yes, Wilson – yes. All in favor. Rebecca Roeker, Legal Counsel advises this was advertised as a public hearing the public comments need to be heard. Public comments by Chris Klein, Town of Draper, Ginny Chabek, Town of Round Lake, Douglas Kurtzweil, Town of Hunter, Linda Zillmer, Town of Edgewater property owner, Ben Kurtzweil, Town of Hayward, Frank Zufall, Sawyer County Record. Discussion continues. No other comments. Motion by Hessel to close public hearing which was just for additional “public comments”, second by Buckholtz. All in favor.

PRELIMINARY PLAT REVIEW

A) Owner requests postponement of Preliminary Plat Review Pending Additional Conversations with Towns for Public vs. Private roads – TBD). A Public Hearing for Preliminary County Subdivision Plat Review. Owner: Jeremy Hill. Subdivision called “The Preserve” in the Town of Round Lake and the Town of Hayward. This requires Zoning Committee acceptance, conditional acceptance or rejection. Motion by Hessel to postpone hearing the preliminary plat, second by Righeimer. All in favor.

NEW BUSINESS

a) Any other business that may come before the Committee for discussion. Town of Bass Lake has requested to not allow exempt storage shed in subdivision. Requests provision to remove this exemption/storage shed in the Zoning Ordinance. Discussion held. Kozlowski will draw a provision up for the Committee to check out in a few months.

b) In the case of CUP #24-007, Hayward Demo, Darryl Mast. Rebecca Roeker, Legal Counsel advises that section 66.0441 does apply to Counties however the County can only restrict under certain circumstances. If they are producing product in a public works project, engaging in night construction or in the case of emergency. The applicant did approve & agreed to the conditions. The Committee is good to go!

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

ADJOURNMENT

Buckholtz adjourns the meeting at 10:25am.

Minutes prepared by Kathy Marks Deputy Sawyer County Zoning & Conservation
Administrator



Rezone Request STAFF REPORT

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

File: # RZN 24-005

Applicant:

Lester Troyer
16131W Boylan Road
Stone Lake, WI 54876

Property Location & Legal Description:

Town of Sand Lake. Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$. Part Lot 1 CSM 5-324 #1069; S17, T39N, R09W; Parcel #026-939-17-1104; Tax ID#28599; .620 total acres; Zoned Agricultural One (A-1) & Commercial One (C-1) and Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; S17, T39N, R09W; Parcel #026-939-17-1106; Tax ID #28601; 2.54 total acres; Zoned Commercial One (C-1). Total of 3.16 acres. Site Address of 16131W Boylan Road.

Request: Purpose of request is to rezone both parcels of approximately 3.16 acres of A-1 and C-1 to Residential/Recreational One (RR-1) to be able to divide the property into a different configuration and sell newly created lots as non-commercial residential lots. The S/W District overlay is not subject to change as part of this request.

Project History & Additional Information/details:

The applicant is requesting to rezone approximately 3.16 acres of A-1 & C-1 to RR-1 (see attached map of parcel). The proposed rezone would result in conforming zone district dimensional requirements. With the approved rezone a new certified survey map would be recorded which would divide the property into different lot configurations.

This property is located off Hwy 27 and Boylan Road. The nearest RR-1 property is approximately 975 feet to the South. The future land use map for the Town of Sand Lake shows this area as "shoreland" as the property is within 1000' from a smaller pond on the north side of Boylan Road. Shoreland as defined by the Town of Sand Lake comprehensive plan still references the old Lake Classification system which is no long in effect. These Lake Classifications were initially intended to protect environmental sensitive bodies of water. The Town Plan further goes on to state, "When and whether these areas should be rezoned to be consistent with the provisions of the Town of Sand Lake Comprehensive Plan is at the discretion of both the Town of Sand Lake and the Sawyer County Zoning Committee based on a mutually agreed upon decision." The existing land use maps as included within the Town of Sand Lake Comprehensive Plan show this area as Commercial with intermittent areas of Residential.

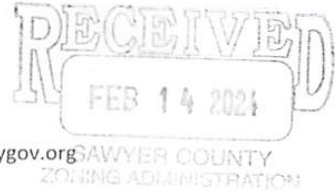


The current surrounding use is light residential, commercial, and most prominently agricultural. The current property is not engaged in any type of agricultural use and the previous commercial business operating on this property has been discontinued.

Findings of Fact:

Does the request do the following? Yes/No

1. Promote the public health, safety, convenience and general welfare;
2. Encourage planned and orderly land use development;
3. Protect property values and the property tax base;
4. Permit the careful planning and efficient maintenance of highway systems;
5. Ensure adequate highway, utility, health, educational and recreational facilities;
6. Recognize the needs of agriculture, forestry, industry and business in future growth
7. Encourage uses of land and other natural resources which are in accordance with their character and adaptability;
8. Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
9. Encourage the protection of groundwater resources;
10. Preserve wetlands;
11. Conserve soil, water and forest resources;
12. Protect the beauty and amenities of landscape and man-made developments;
13. Provide healthy surroundings for family life;
14. Promote the efficient and economical use of public funds.

Rezone Application # 24-005Town of SAND LAKE
Sawyer County**Return Original**To: Sawyer County Zoning and Conservation
10610 Main Street, Suite 49
Hayward, WI 54843Phone: 715-634-8288
E-mail: Kathy.marks@sawyercountygov.org
SAWYER COUNTY
ZONING ADMINISTRATIONOwner: Lester ProyerAddress: 16131 W Bayland Rd Stone Lake WI 54876Phone: 715-558-1566

Email: _____

Legacy PIN # 026-939-17-1106 & 026-939-17-1104 Acreage: 2.54 + 0.62Total 3.16Change from District C-1/A-1 to RR-1Property Description: PRT NENE, S1/4 T39N, R09W; ID# 28601 and PRT NENE, PRT
lot 1 CSM #1069; ID# 28599

Purpose of

Request: REZONE TO RESIDENTIAL/Recreational one to divide property
into different configuration and sell newly created lot as a
non-commercial residential lotLester Proyer
Lester Proyer***Please Print & Sign (Property Owner)**

The above hereby make application for a rezone. 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. 1/2021Date of Public Hearing April 19, 2024

2/14/24, 8:35 AM

Novus-Wisconsin Access rev. 13.1108

Real Estate Sawyer County Property Listing

Today's Date: 2/14/2024

Property Status: Current

Created On: 2/6/2007 7:55:48 AM

Description Updated: 1/30/2012

Tax ID: 28601
PIN: 57-026-2-39-09-17-1 01-000-000060
Legacy PIN: 026939171106
Map ID: .1.6
Municipality: (026) TOWN OF SAND LAKE
STR: S17 T39N R09W
Description: PRT NENE
Recorded Acres: 2.540
Lottery Claims: 0
First Dollar: Yes
Zoning: (C-1) Commercial One
ESN: 423

Tax Districts Updated: 2/6/2007

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

Recorded Documents Updated: 7/15/2013

QUIT CLAIM DEED
Date Recorded: 7/6/1988 [209892](#) 420/313
WARRANTY DEED
Date Recorded: 7/6/1988 [209891](#) 420/312

Ownership Updated: 1/30/2012

LESTER TROYER STONE LAKE WI

Billing Address: **Mailing Address:**
LESTER TROYER **LESTER TROYER**
16131W BOYLAN RD 16131W BOYLAN RD
STONE LAKE WI 54876-3015 STONE LAKE WI 54876-3015

Site Address * indicates Private Road
16131W BOYLAN RD STONE LAKE 54876

Property Assessment Updated: 9/28/2017

2024 Assessment Detail

Code	Acres	Land	Imp.
G1-RESIDENTIAL	2.540	12,700	209,400

2-Year Comparison

	2023	2024	Change
Land:	12,700	12,700	0.0%
Improved:	209,400	209,400	0.0%
Total:	222,100	222,100	0.0%

Property History
N/A

Real Estate Sawyer County Property Listing

Today's Date: 2/14/2024

Property Status: Current

Created On: 2/6/2007 7:55:48 AM

 Description Updated: 2/21/2020

Tax ID: 28599
PIN: 57-026-2-39-09-17-1 01-000-000040
Legacy PIN: 026939171104
Map ID: .1.4
Municipality: (026) TOWN OF SAND LAKE
STR: S17 T39N R09W
Description: PRT NENE PRT LOT 1 CSM 5/327 #1069
Recorded Acres: 0.620
Lottery Claims: 0
First Dollar: No
Zoning: (A-1) Agricultural One
 (C-1) Commercial One
ESN: 423

 Tax Districts Updated: 2/6/2007

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

 Recorded Documents Updated: 8/21/2008

 **WARRANTY DEED**
 Date Recorded: 8/11/1980 [174998](#) 321/40
 **WARRANTY DEED**
 Date Recorded: 7/28/1978 [165789](#) 296/450
 **CERTIFIED SURVEY MAP**
 Date Recorded: 5/8/1978 [164535](#)

 Ownership Updated: 1/30/2012

LESTER & KATIE M TROYER STONE LAKE WI

Billing Address:

LESTER & KATIE M TROYER
 16131W BOYLAN RD
 STONE LAKE WI 54876-3015

Mailing Address:

LESTER & KATIE M TROYER
 16131W BOYLAN RD
 STONE LAKE WI 54876-3015

 Site Address * indicates Private Road

16145W BOYLAN RD STONE LAKE 54876

 Property Assessment Updated: 2/6/2007**2024 Assessment Detail**

Code	Acres	Land	Imp.
G1-RESIDENTIAL	0.620	3,100	0

2-Year Comparison

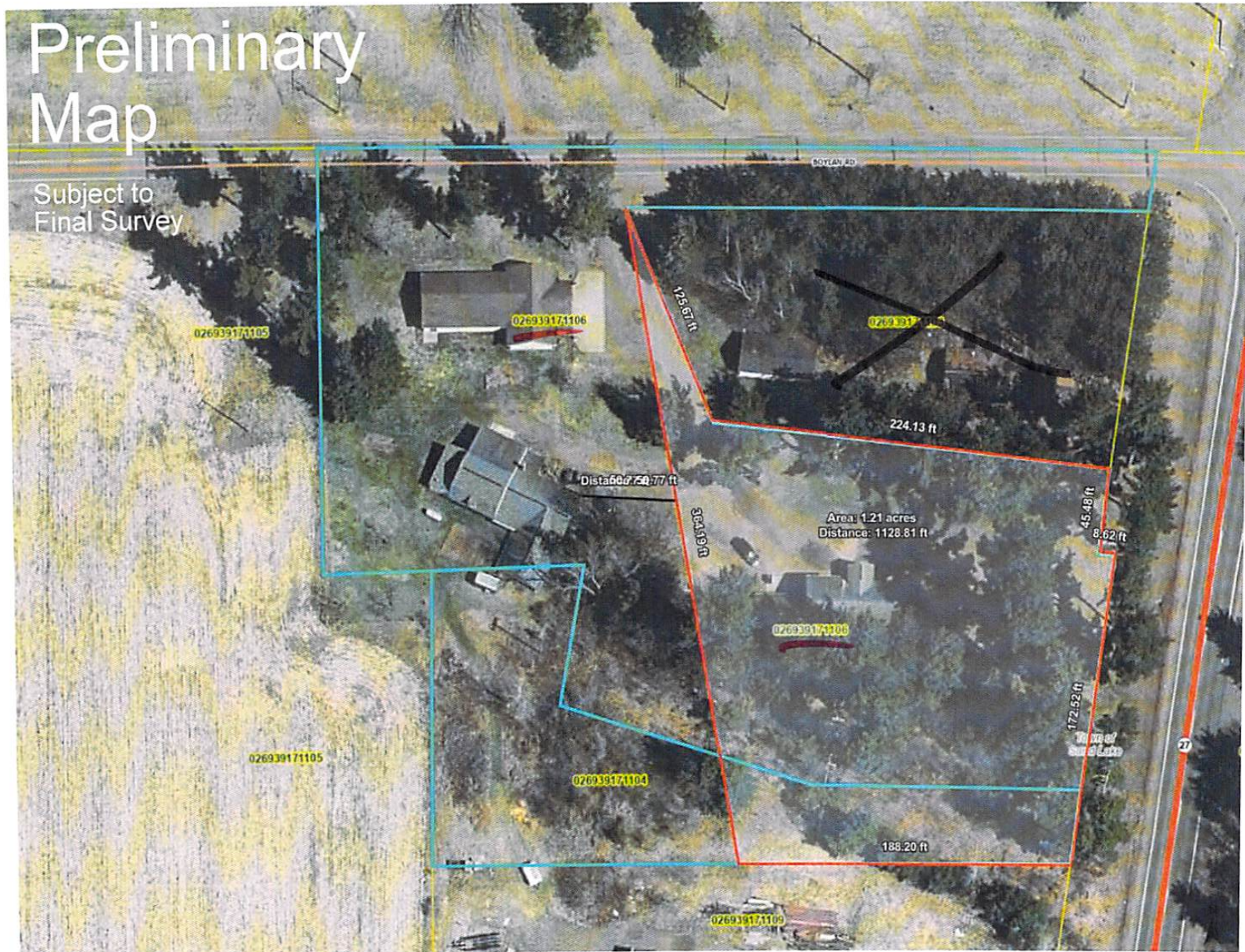
	2023	2024	Change
Land:	3,100	3,100	0.0%
Improved:	0	0	0.0%
Total:	3,100	3,100	0.0%

 Property History

N/A

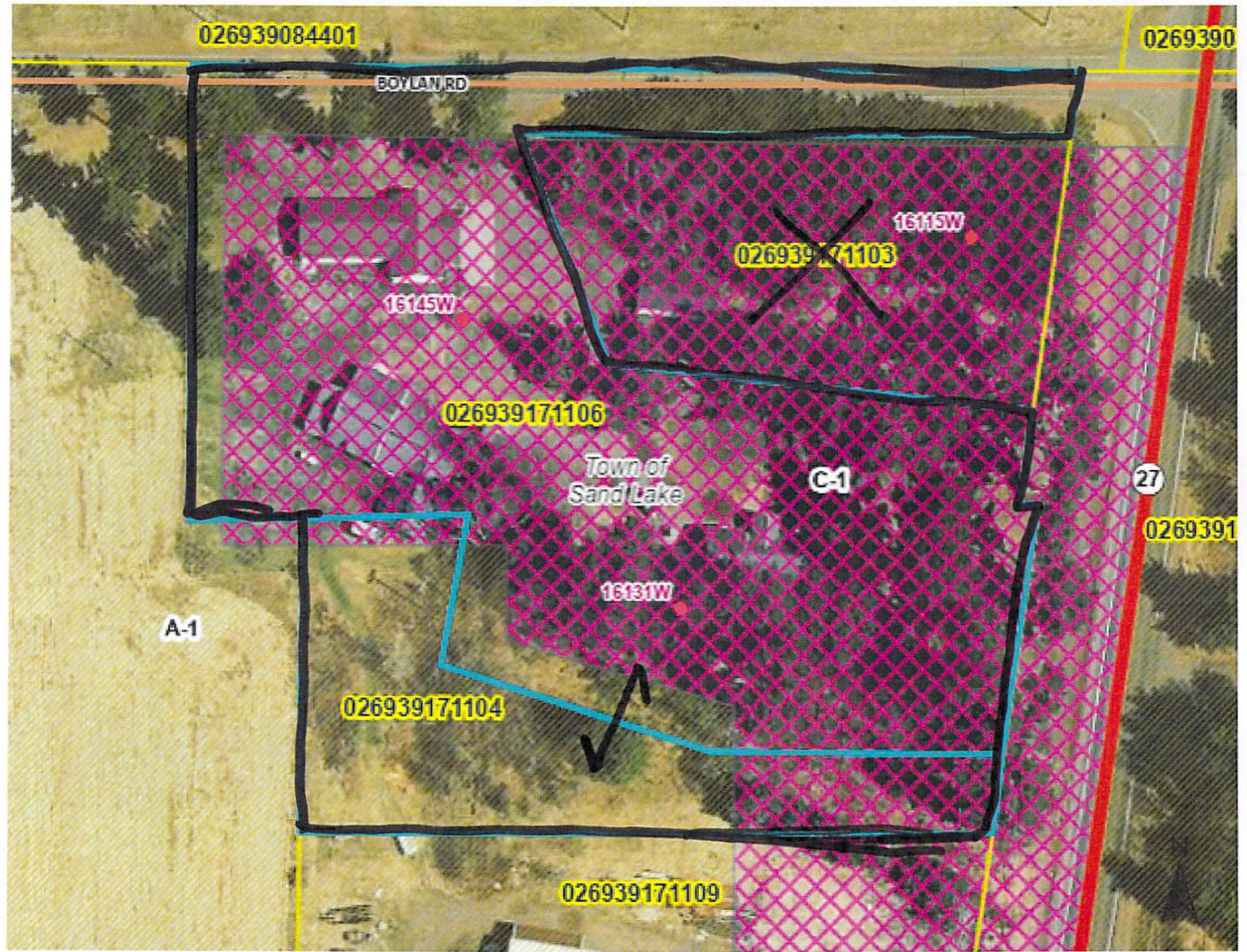
Preliminary Map

Subject to
Final Survey



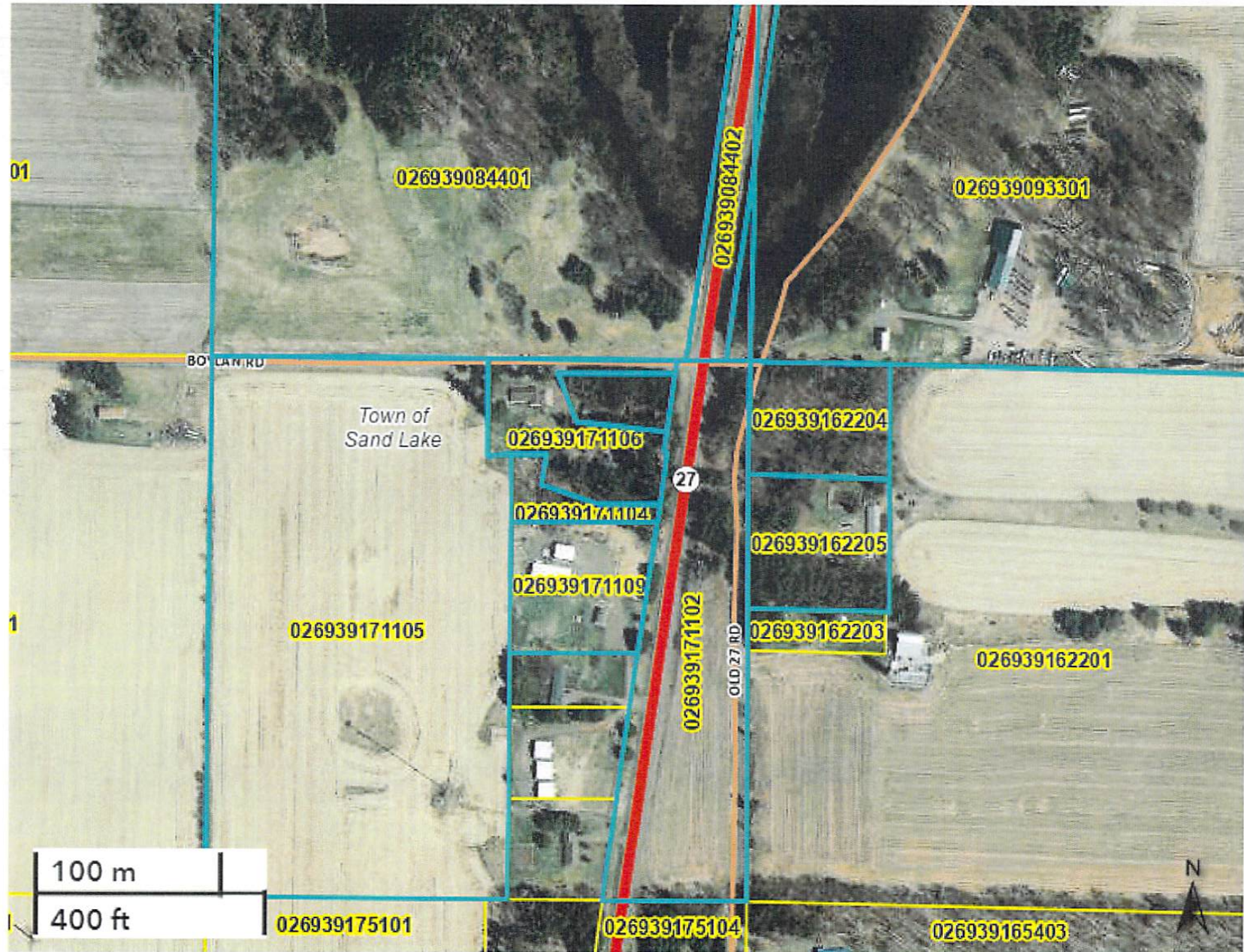
Lot lines are NOT guaranteed to be accurate. Information is compiled from 3rd party sources.







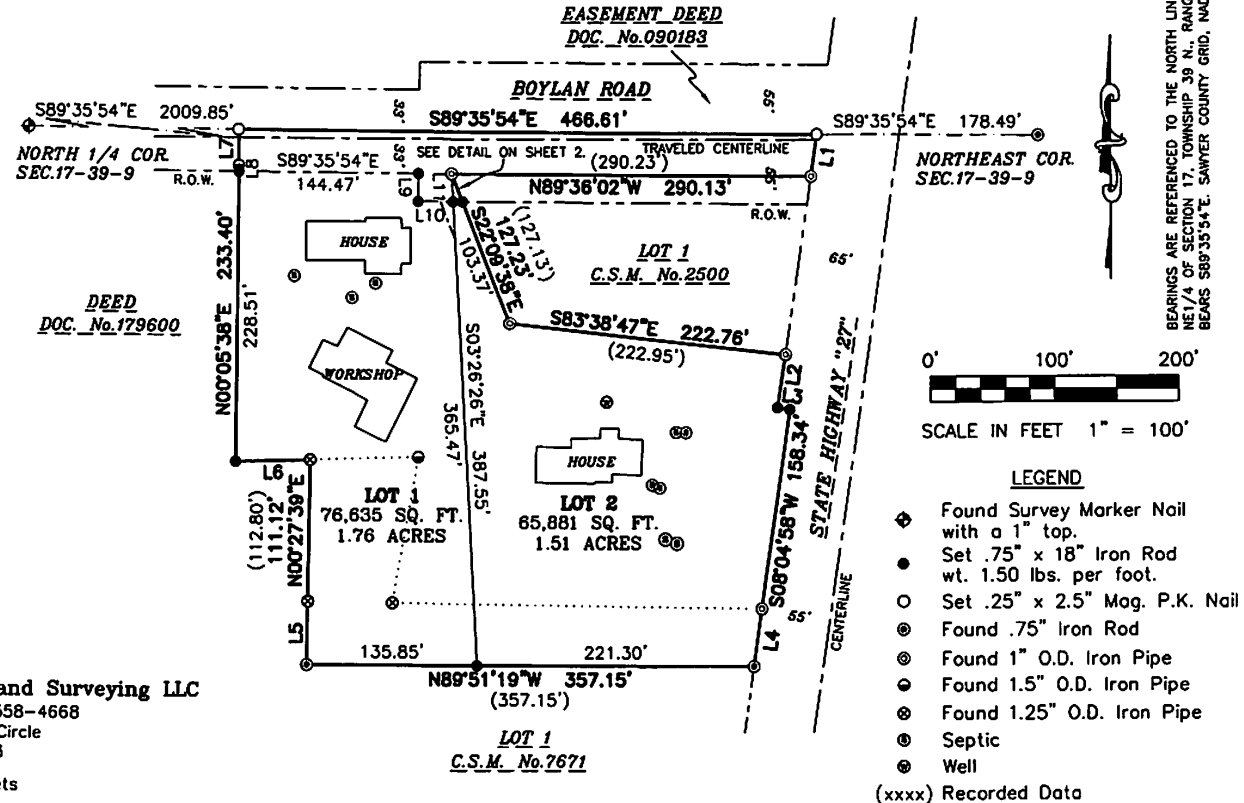
300'



Prelim

SAWYER COUNTY CERTIFIED SURVEY MAP

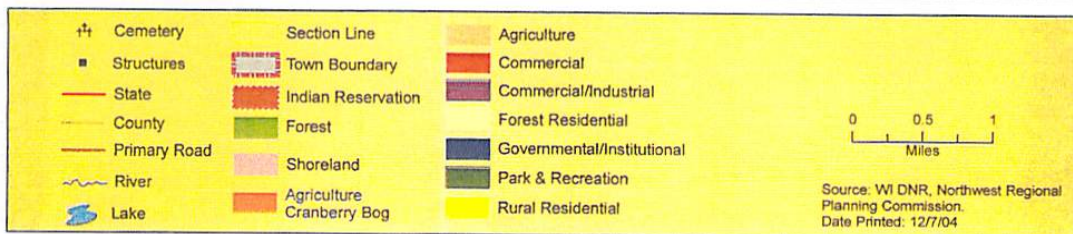
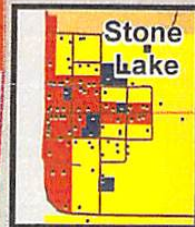
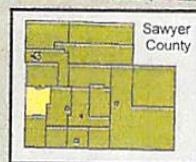
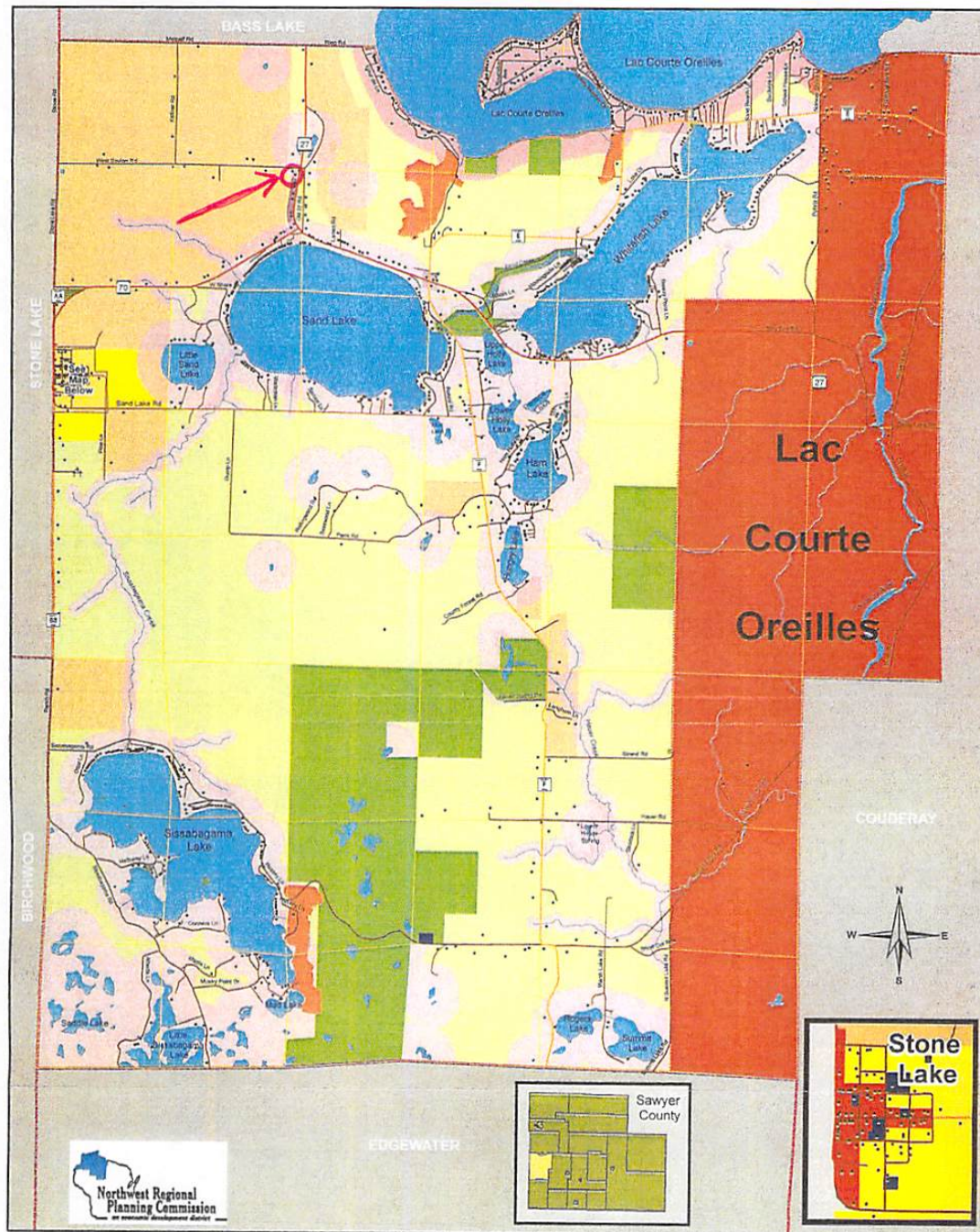
LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, OF SECTION 17,
TOWNSHIP 39 NORTH, RANGE 9 WEST, IN THE TOWN OF SAND LAKE, SAWYER COUNTY, WISCONSIN.
BEING PART OF LOT 1 OF CERTIFIED SURVEY MAP No.1069 RECORDED IN VOLUME 5 PAGES
327-328 AS DOCUMENT No.164535.



JOB # 01024
Prepared by:
Jesse Suzan Land Surveying LLC
Phone No. (715) 558-4668
13731W Sjoström Circle
Hayward, WI 54843
Sheet 1 of 5 Sheets

Sand Lake, Future Land Use

Map 8.4





Rezone Request STAFF REPORT

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

File: # RZN 24-006

Applicant:

Phyllis TePaske
W1731 County Road W
Winter, WI 54896

Agent:

Dan Schauder

Property Location & Legal Description:

Town of Winter. Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Lot 1 CSM 34-285 #8184; S17, T38N, R03W;
Parcel #032-338-17-4112; Tax ID #42680; 7.13 total acres; Zoned Residential/Recreational One (RR-1).

Request: Purpose of request is to rezone approximately 1.15 acres of Residential/Recreational One (RR-1) to Commercial One (C-1) for having ability to purchase the land that is currently being leased for the building that is being used for the Loretta Trail Blazers snowmobile and ATV club. The current building would then be on its own separate commercial lot which would be a permitted use within the Commercial One (C-1) zone district.

Summary of Request & Project History:

The applicant is requesting to rezone 1.15 acres of RR-1 to C-1 (see attached maps included in packet). The proposed rezone would result in conforming zone district dimensional requirements. The remaining portion of RR-1 land is not subject to change as part of this request. The Zoning & Conservation Department has received a preliminary survey map of the requested rezone area. The purpose of the rezone would then be to have a permitted use within the Commercial-One zone district which is for a building that is currently being leased by the Loretta Trail Blazers Club which they are now wanting to purchase outright.

Additional Information/details:

See attached additional maps included in this packet. This property is located off Hwy W near the Flambeau River. The nearest C-1 property is immediately adjacent to this property to the South. The future land use map for the Town of Winter shows this area as Rural Residential however there are several other commercial zone districts within this immediate area. The current surrounding use is light residential, commercial, and forestry.



The Town of Winter Comprehensive Plan also references that the future land use map is not an official zoning map. It references the long-term recommendations of lands within the Town of Winter. The map is advisory and does not have zoning authority. It is intended to be used by local officials to coordinate and manage future development.

Findings of Fact:

Does the request do the following? Yes/No

1. Promote the public health, safety, convenience and general welfare;
2. Encourage planned and orderly land use development;
3. Protect property values and the property tax base;
4. Permit the careful planning and efficient maintenance of highway systems;
5. Ensure adequate highway, utility, health, educational and recreational facilities;
6. Recognize the needs of agriculture, forestry, industry and business in future growth
7. Encourage uses of land and other natural resources which are in accordance with their character and adaptability;
8. Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
9. Encourage the protection of groundwater resources;
10. Preserve wetlands;
11. Conserve soil, water and forest resources;
12. Protect the beauty and amenities of landscape and man-made developments;
13. Provide healthy surroundings for family life;
14. Promote the efficient and economical use of public funds.



Rezoning Application # 24-006

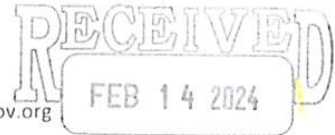
Town of Winter

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



SAWYER COUNTY
ZONING ADMINISTRATION

Owner: Phyllis Telaske

Address: 1731 W Cty Rd W Winter, WI 54886

Phone: 715-332-5541 Email: ptelaske@ptc.net.net

Legacy PIN # 032-338-17-4112 Acreage: 7.13

Change from District RR-1 to C-1

Property Description: PRT NESE LOT 1 CSM #8184. Rezoning requested
for approximately 1.15 acres

Purpose of Request: rezoning 1.15 acres of RR-1 to C-1 for having ability
to purchase the land that currently being leased for the
building that is being used for Loretta Trail Blazers Snowbike and
ATV club. This would be a permitted use within the C-1 district.

Phyllis Telaske Phyllis Telaske

*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:

Dan Schauder

W1614 County Rd W

Winter WI 54896

Phone: 820-609-7537 Email: danielschauder@yahoo.com

Fee \$500.00
1/22

Date of Public Hearing April 19, 2024

Real Estate Sawyer County Property Listing

Today's Date: 2/14/2024

Property Status: Current

Created On: 2/9/2017 9:34:24 AM

Description	Updated: 4/28/2017
Tax ID:	42680
PIN:	57-032-2-38-03-17-4 01-000-000112
Legacy PIN:	032338174112
Map ID:	
Municipality:	(032) TOWN OF WINTER
STR:	S17 T38N R03W
Description:	PRT NESE LOT 1 CSM 34/285 #8184
Recorded Acres:	7.130
Lottery Claims:	1
First Dollar:	Yes
Zoning:	(RR1) Residential/Recreational One
ESN:	428

Tax Districts	Updated: 2/9/2017
1	State of Wisconsin
57	Sawyer County
032	Town of Winter
576615	Winter School District
001700	Technical College

Recorded Documents	Updated: 2/5/2021
TERMINATION OF DECEDENTS INTEREST	429804
Date Recorded: 2/4/2021	
MAP OF SURVEY	17383-7
Date Recorded: 10/20/2021	
CERTIFIED SURVEY MAP	405196
Date Recorded: 2/1/2017	
LEASE	366842
Date Recorded: 6/4/2010	
PERSONAL REPRESENTATIVES DEED	215044
Date Recorded: 8/17/1989	

Ownership	Updated: 2/5/2021
PHYLLIS M TE PASKE	WINTER WI

Billing Address:	Mailing Address:
PHYLLIS M TE PASKE W1731 COUNTY ROAD W WINTER WI 54896	PHYLLIS M TE PASKE W1731 COUNTY ROAD W WINTER WI 54896

Site Address	* indicates Private Road
1731W COUNTY HWY W	WINTER 54896



Property Assessment

Updated: 6/21/2018

2024 Assessment Detail			
Code	Acres	Land	Imp.
G1-RESIDENTIAL	7.130	16,800	227,700
2-Year Comparison			
Land:	2023	2024	Change
Improved:	227,700	227,700	0.0%
Total:	244,500	244,500	0.0%

Property History	
Parent Properties	Tax ID
57-032-2-38-03-17-4 01-000-000110	42679

HISTORY [Expand All History](#) White=Current Parcels Pink=Retired Parcels

- [Tax ID: 32856 Pin: 57-032-2-38-03-17-4 01-000-000020 Leg. Pin: 032338174102 Map ID: .13.2THRU.13.4](#)
[Tax ID: 41422 Pin: 57-032-2-38-03-17-4 01-000-000100 Leg. Pin: 032338174110 Map ID: .13.10](#)
[Tax ID: 32856 Pin: 57-032-2-38-03-17-4 01-000-000020 Leg. Pin: 032338174102 Map ID: .13.2THRU.13.4](#)
[Tax ID: 41421 Pin: 57-032-2-38-03-17-4 01-000-000090 Leg. Pin: 032338174109 Map ID: .13.9](#)
[Tax ID: 42679 Pin: 57-032-2-38-03-17-4 01-000-000110 Leg. Pin: 032338174111](#)

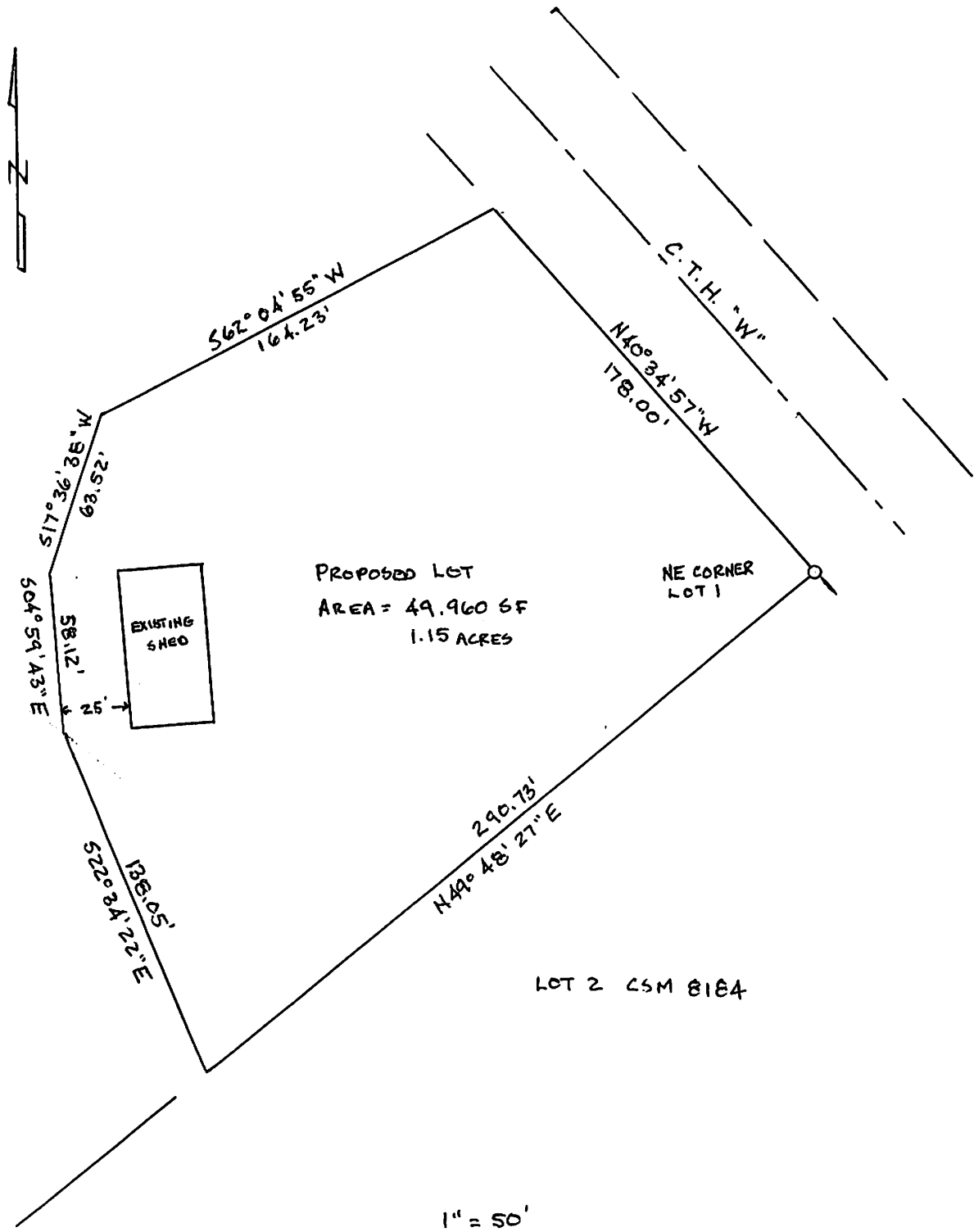
42680 This Parcel ↑ Parents ↓ Children

PRELIMINARY SURVEY FOR LORETTA TRAILBLAZERS

PART OF LOT 1, CSM 8184, VOLUME 34, PAGE 285, PART OF THE NORTHEAST 1/4 OF THE
SOUTHEAST 1/4, OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 3 WEST, TOWN OF WINTER,
SAWYER COUNTY, WISCONSIN

Pleoger Land Surveying, LLC
W5299 Sundling Road
Winter WI 54896

February 22, 2023





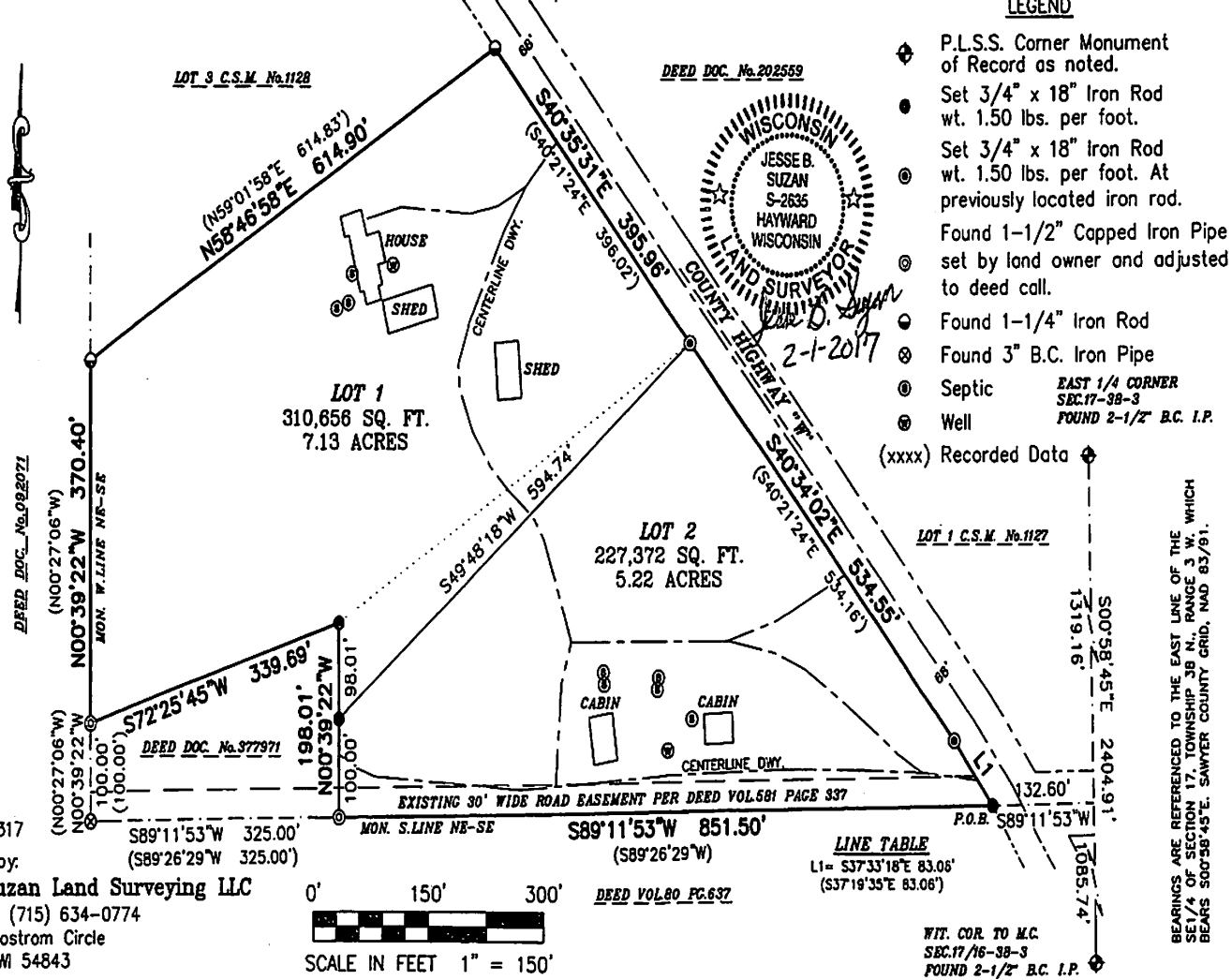


PAULA CHISSER
REGISTER OF DEEDS SAWYER COUNTY, WI
02/01/2017 02:00PM
REC FEE: 30.00

PAGES 2

SAWYER COUNTY CERTIFIED SURVEY MAP

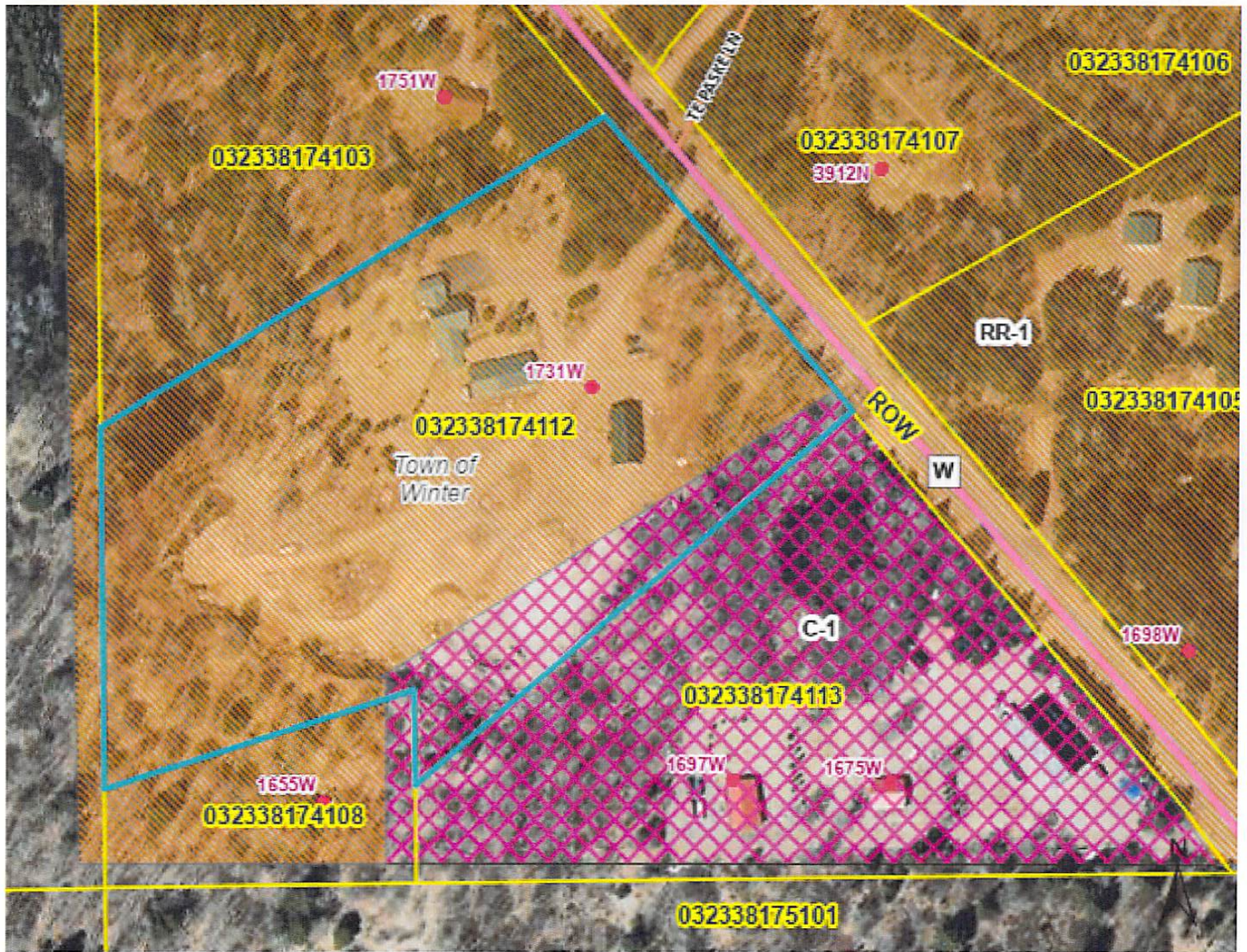
LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, OF SECTION 17, TOWNSHIP 38 NORTH, RANGE 3 WEST, IN THE TOWN OF WINTER, SAWYER COUNTY, WISCONSIN. BEING A DIVISION OF LOT 4 AND LOT 5 OF CERTIFIED SURVEY MAP No.1128. RECORDED IN VOLUME 6 PAGE 31.

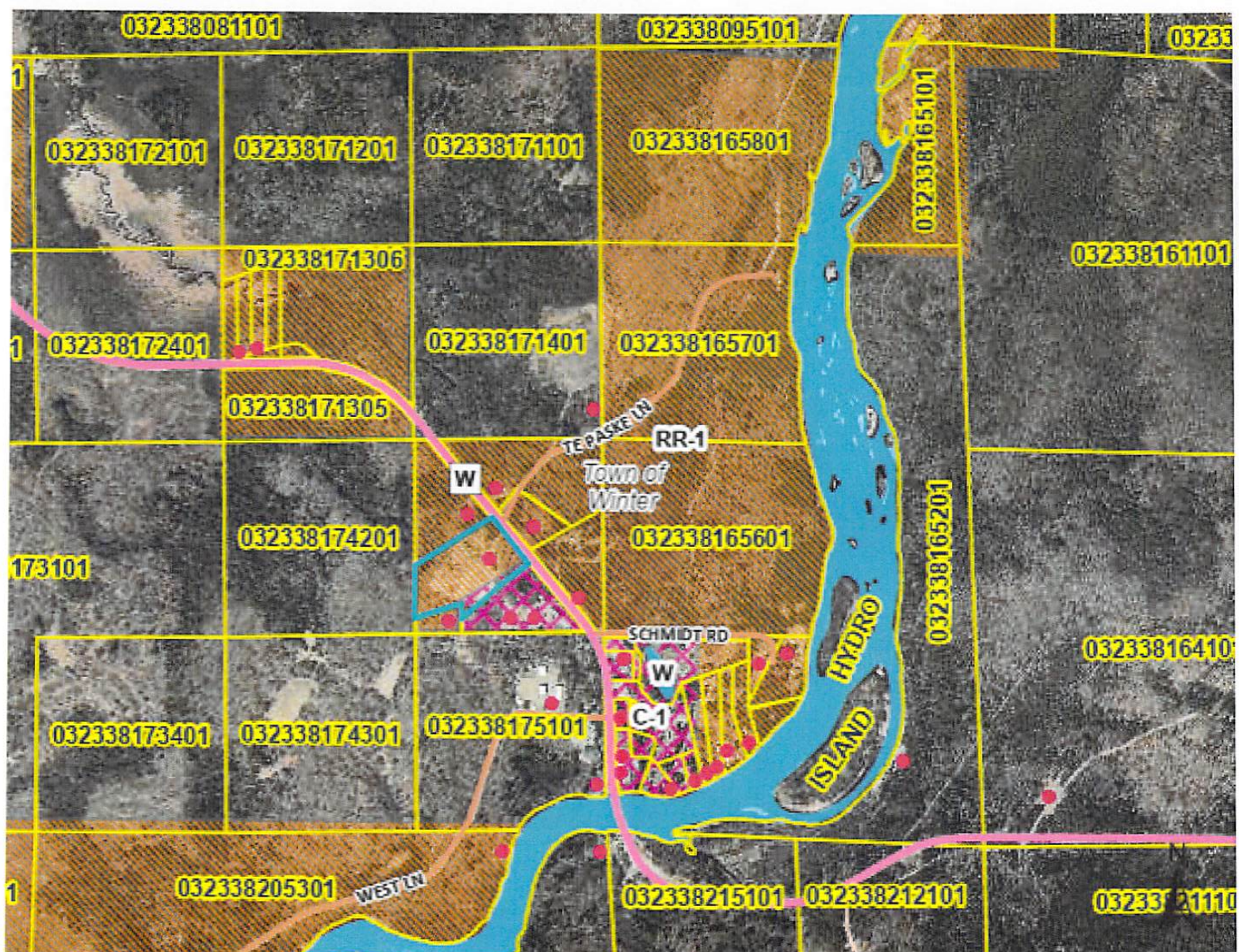


VOL 34 PG 285

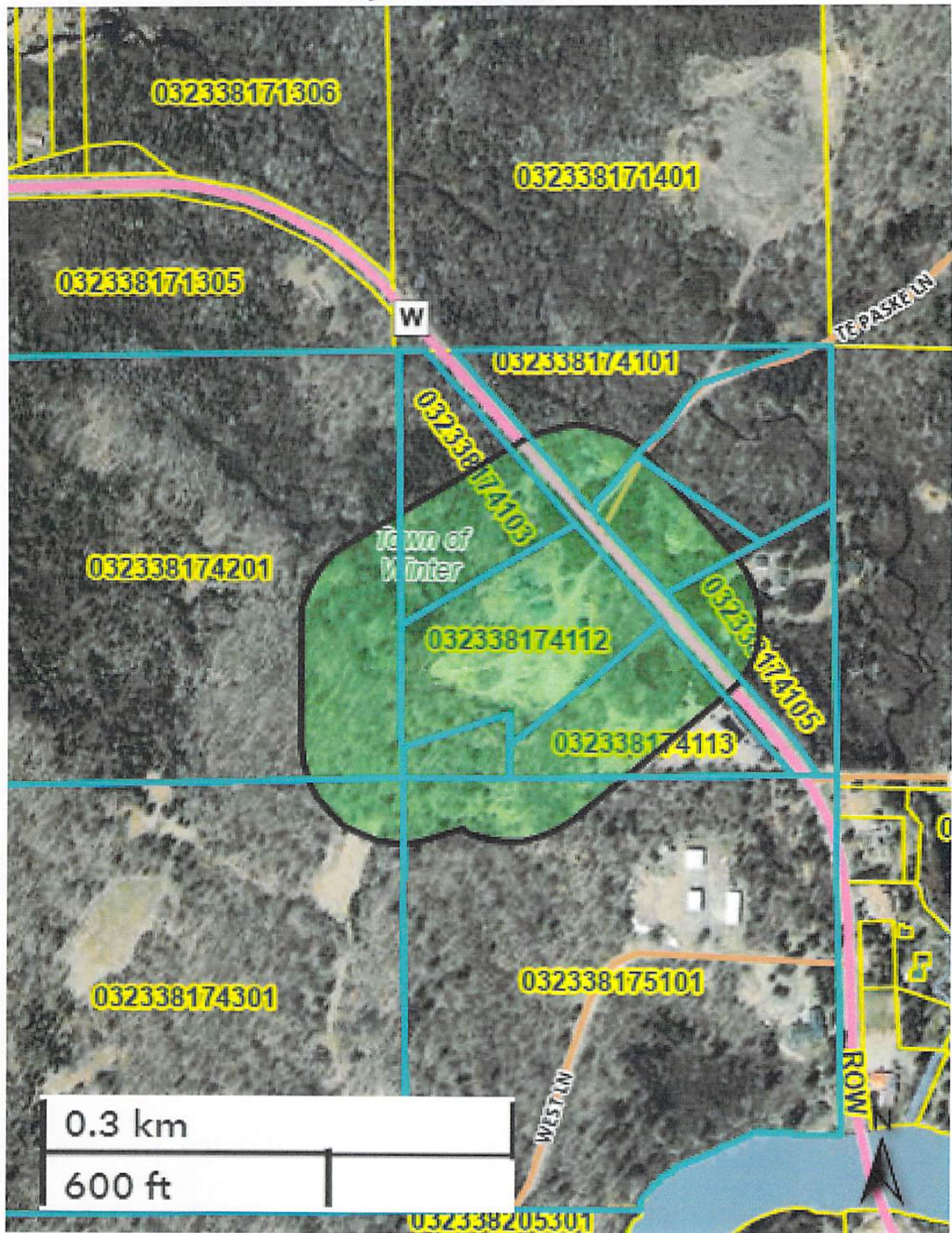
CSM# 8184

405196 1 of 2



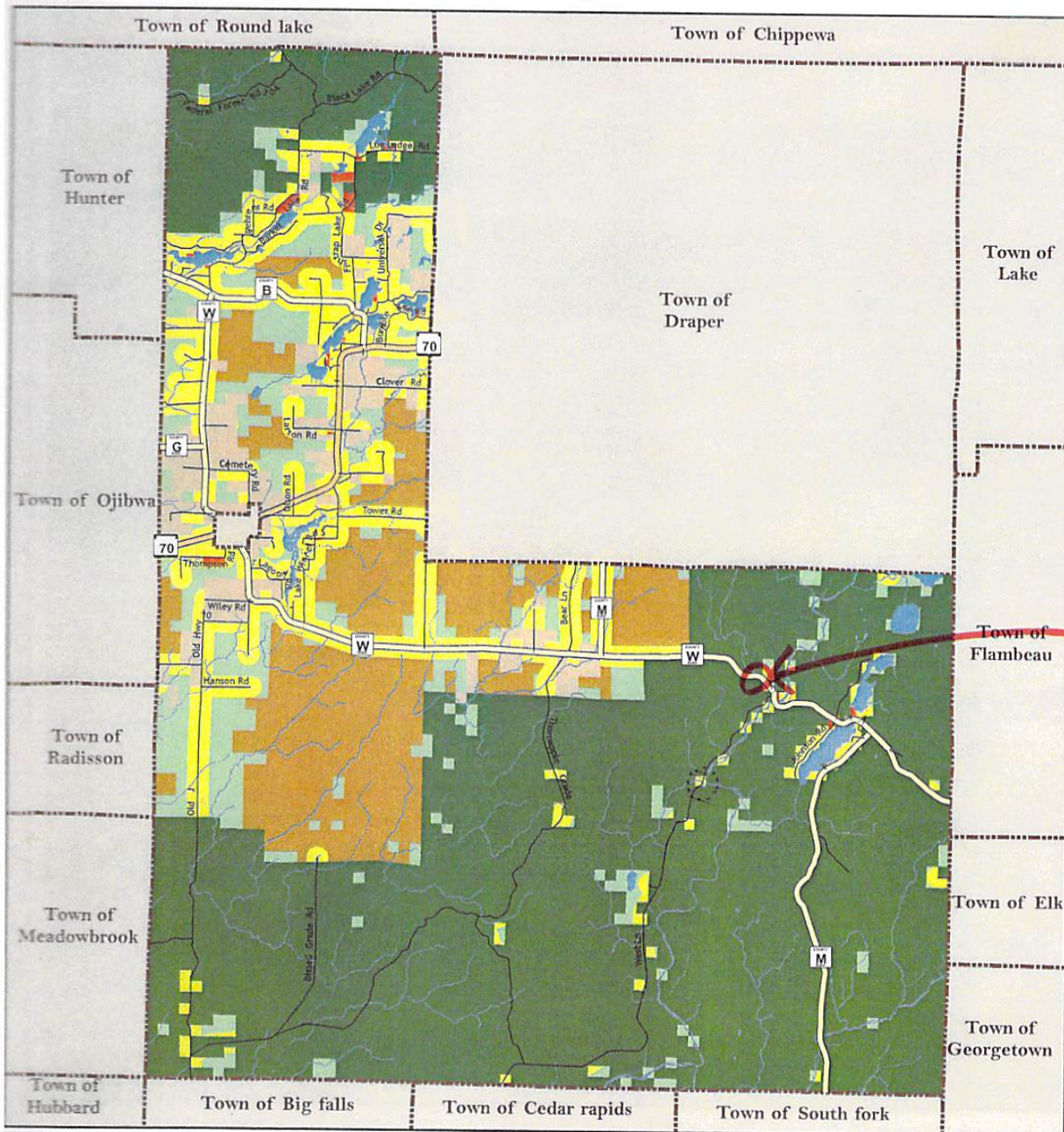


Notifications 300'



Town of Winter, Sawyer County, Wisconsin

Map 13 - Future Land Use
12/09/2009



Future Land Use
Agriculture
Public Forest
Forest Residential
Government/Institutional
Forest Rural Residential

0 1 2 4 6 8 10 Miles





Conditional Use Permit Request STAFF REPORT

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

File: # CUP 24-008

Applicant:

Town of Lenroot

Agent: Gordon Christians

Property Location & Legal Description:

Town of Lenroot. Part of the W1/2 of the SW, Lot 1 CSM 31-321 #7787; S31, T42N, R08W; Parcel #014-842-31-3206; Tax ID# 41068; Zoned Commercial One (C-1); 15.53 total acres. Located at #12215N US HWY 63 known as Town of Lenroot Shop Pit.

Request: 5 year renewal of CUP #00-007 originally approved May 18, 2012. Last approved April 16, 2019. Request is for the location and operation of a non-metallic mineral extraction operation including rock crusher.

Project History:

This CUP renewal is for the location of a non-metallic mineral extraction operation including rock crusher. The property is 15.53 acres and is zoned C-1 and includes the gravel pit as well as a shop area. The surrounding use is forestry and light residential with the nearest residence at approximately 1100' away. The Town of Lenroot plans on extracting and crushing approximately 2000 cubic yards of material annually to be used on Town Road projects.

The Zoning Department does not show any complaints on file for this site. However, the National Scenic Riverway has been opposed to this pit historically.

Pursuant to NR 135.02(2) municipalities are exempt from financial assurance 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 Maintain compliance with NR 135 (reclamation plan)
- 2 Maintain compliance with Plan of Operation including hours of operation from 6 AM – 6 PM Monday-Friday and crushing from 7 AM – 7 PM Monday-Friday periodically May-August.
- 3 Maintain compliance with Department of Natural Resources Chapter 30
- 4 All other town, County, State, Federal Laws are followed

Findings of Fact:

Does the request do the following? Yes/No

1. Promote the public health, safety, convenience and general welfare;
2. Encourage planned and orderly land use development;
3. Protect property values and the property tax base;
4. Permit the careful planning and efficient maintenance of highway systems;
5. Ensure adequate highway, utility, health, educational and recreational facilities;
6. Recognize the needs of agriculture, forestry, industry and business in future growth
7. Encourage uses of land and other natural resources which are in accordance with their character and adaptability;
8. Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
9. Encourage the protection of groundwater resources;
10. Preserve wetlands;
11. Conserve soil, water and forest resources;
12. Protect the beauty and amenities of landscape and man-made developments;
13. Provide healthy surroundings for family life;
14. Promote the efficient and economical use of public funds.



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:

Town of Lenroot

12215N US Hwy 63

Hayward, WI 54843

Phone: 715-634-0140 5673 Email: carol@townoflenrootwi.gov

Property description including Parcel Number: PRT W 1/2 SW Lot 1 CSM 31-321 S31 T42N R08W Parcel# 014-842-31-3206. Property is Zoned Commercial One (C-1) and is 15.53 acres. Known as Town of Lenroot Shop Pit.

Permit desired for:

The five (5) year renewal of conditional use permit #00-007 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on ~~May 18, 2012~~ *and most recently renewed on 4-16-19.* *4-20-2020*

Gordon Christians – Town Chairman

Gordon Christians

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:

Town of Lenroot
12215N US Hwy 63
Hayward, WI 54843

Fee: \$350.00

Date of Public Hearing: *April 19, 2024*

Gravel Pit renewal \$300.00

Rev January 2023

Real Estate Sawyer County Property Listing

Today's Date: 1/29/2024

Property Status: Current

Created On: 6/7/2011 3:46:12 PM



Description

Updated: 6/7/2011

Tax ID:	41068
PIN:	57-014-2-42-08-31-3 02-000-000060
Legacy PIN:	014842313206
Map ID:	.10.6
Municipality:	(014) TOWN OF LENROOT
STR:	S31 T42N R08W
Description:	PRT W1/2 SW LOT 1 CSM 31/321 #7787
Recorded Acres:	15.530
Calculated Acres:	15.498
Lottery Claims:	0
First Dollar:	No
Zoning:	(C-1) Commercial One
ESN:	400



Tax Districts

Updated: 6/7/2011

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



Recorded Documents

Updated: 3/1/2019

CERTIFIED SURVEY MAP	
Date Recorded: 5/31/2011	<u>372787</u>
QUIT CLAIM DEED	
Date Recorded: 11/20/2009	<u>363889</u>
WARRANTY DEED	
Date Recorded: 7/17/1997	<u>261974 608/280</u>

Child History Record Count: 4 -

HISTORY [Expand All History](#) White=Current Parcels Pink=Retired Parcels

- Tax ID:** 17328 **Pin:** 57-014-2-42-08-31-3 03-000-000010 **Leg. Pin:** 014842313301 **Map ID:** .11.1
Tax ID: 17327 **Pin:** 57-014-2-42-08-31-3 02-000-000030 **Leg. Pin:** 014842313203 **Map ID:** .10.3
Tax ID: 17326 **Pin:** 57-014-2-42-08-31-3 02-000-000020 **Leg. Pin:** 014842313202 **Map ID:** .10.2
Tax ID: 40516 **Pin:** 57-014-2-42-08-31-3 02-000-000050 **Leg. Pin:** 014842313205 **Map ID:** .10.5

41068 This Parcel ↑ Parents ↓ Children



Ownership

Updated: 6/7/2011

TOWN OF LENROOT	HAYWARD WI
------------------------	------------

Billing Address:

TOWN OF LENROOT
 12215N US HWY 63
 HAYWARD WI 54843

Mailing Address:

TOWN OF LENROOT
 12215N US HWY 63
 HAYWARD WI 54843

**Site Address** * indicates Private Road

12215N US HWY 63	HAYWARD 54843
------------------	---------------



Property Assessment

Updated: 4/24/2012

2023 Assessment Detail

Code	Acres	Land	Imp.
X4-EXEMPT OTHER	15.530	0	0

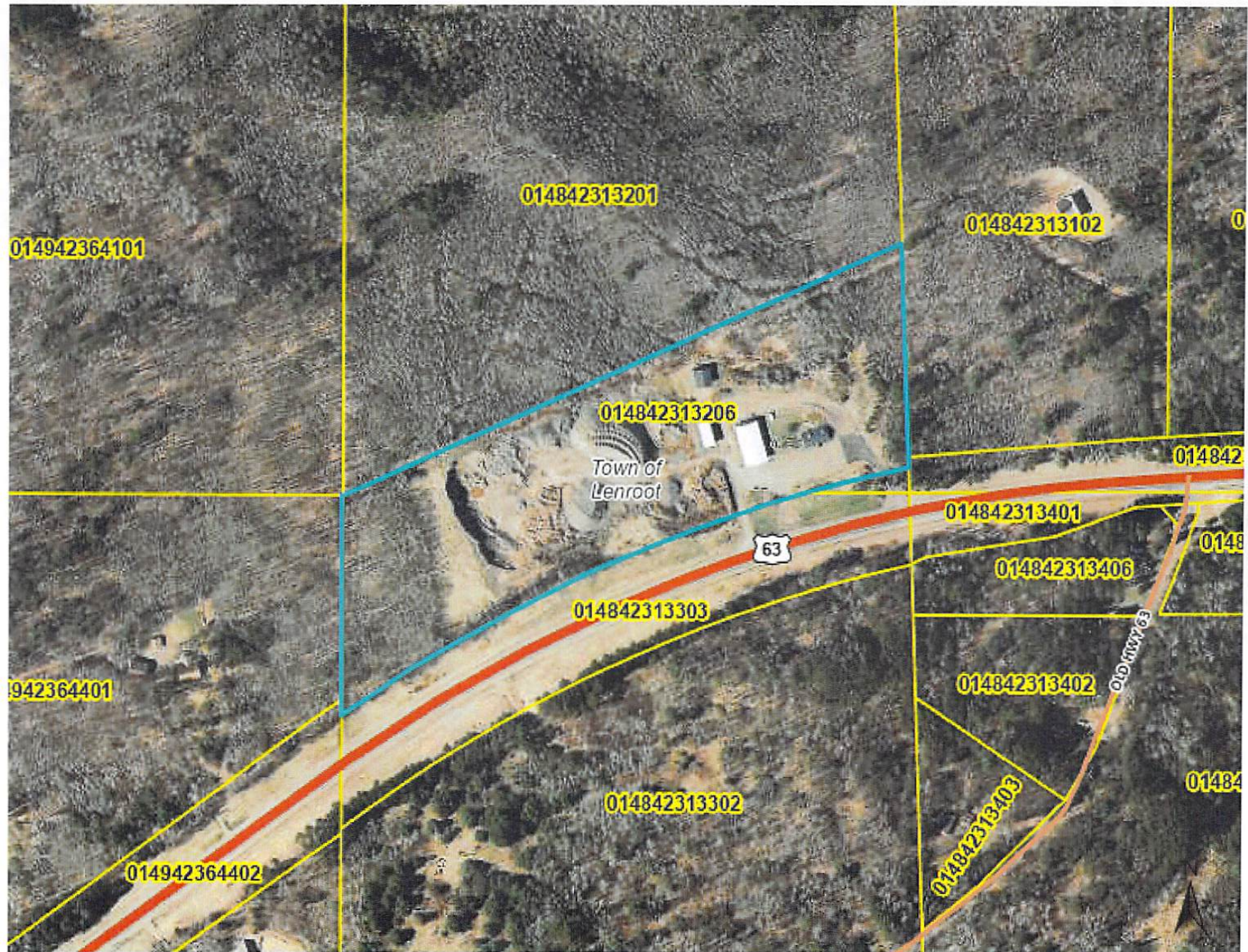
2-Year Comparison

	2022	2023	Change
Land:	0	0	0.0%
Improved:	0	0	0.0%
Total:	0	0	0.0%

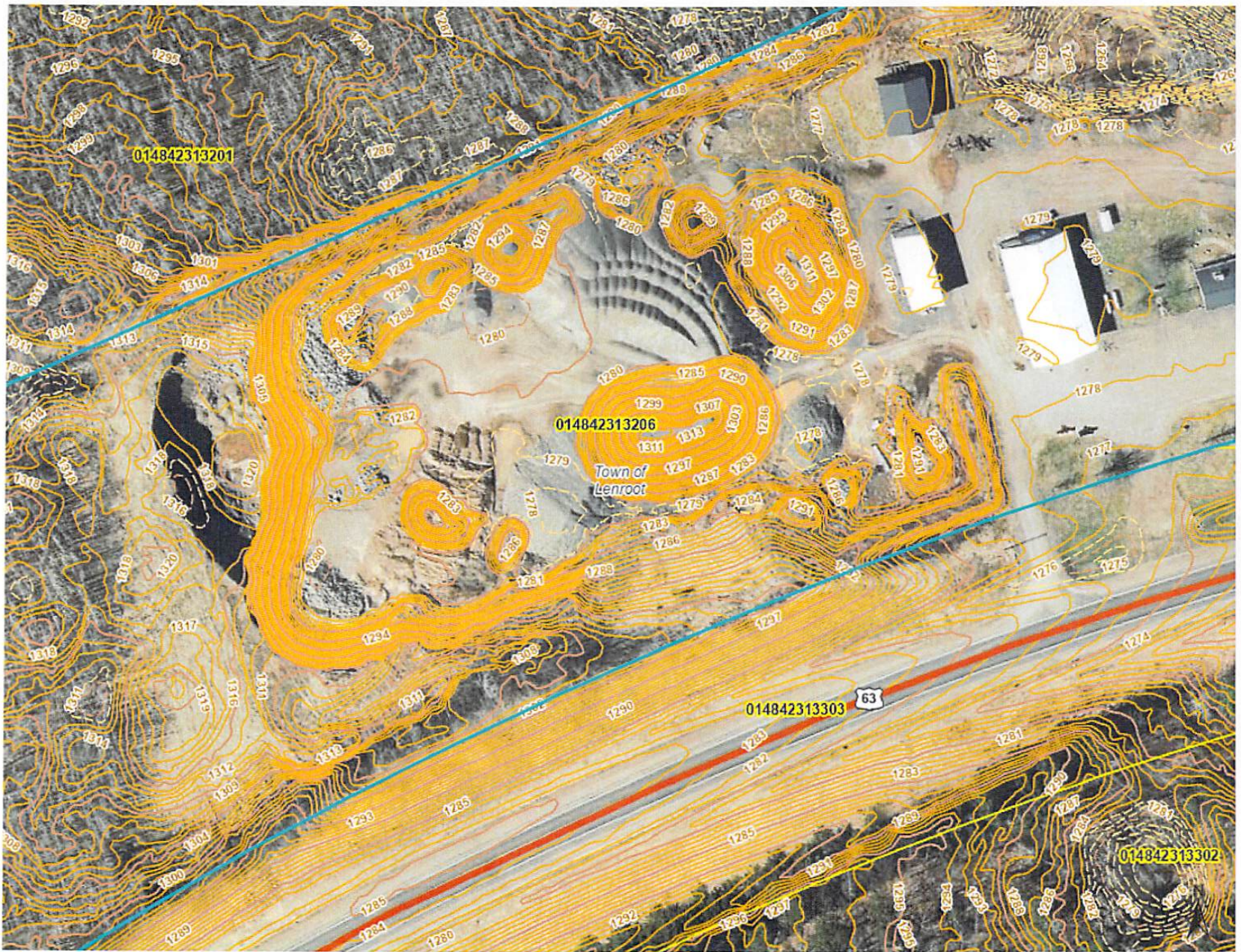


Property History

Parent Properties	Tax ID
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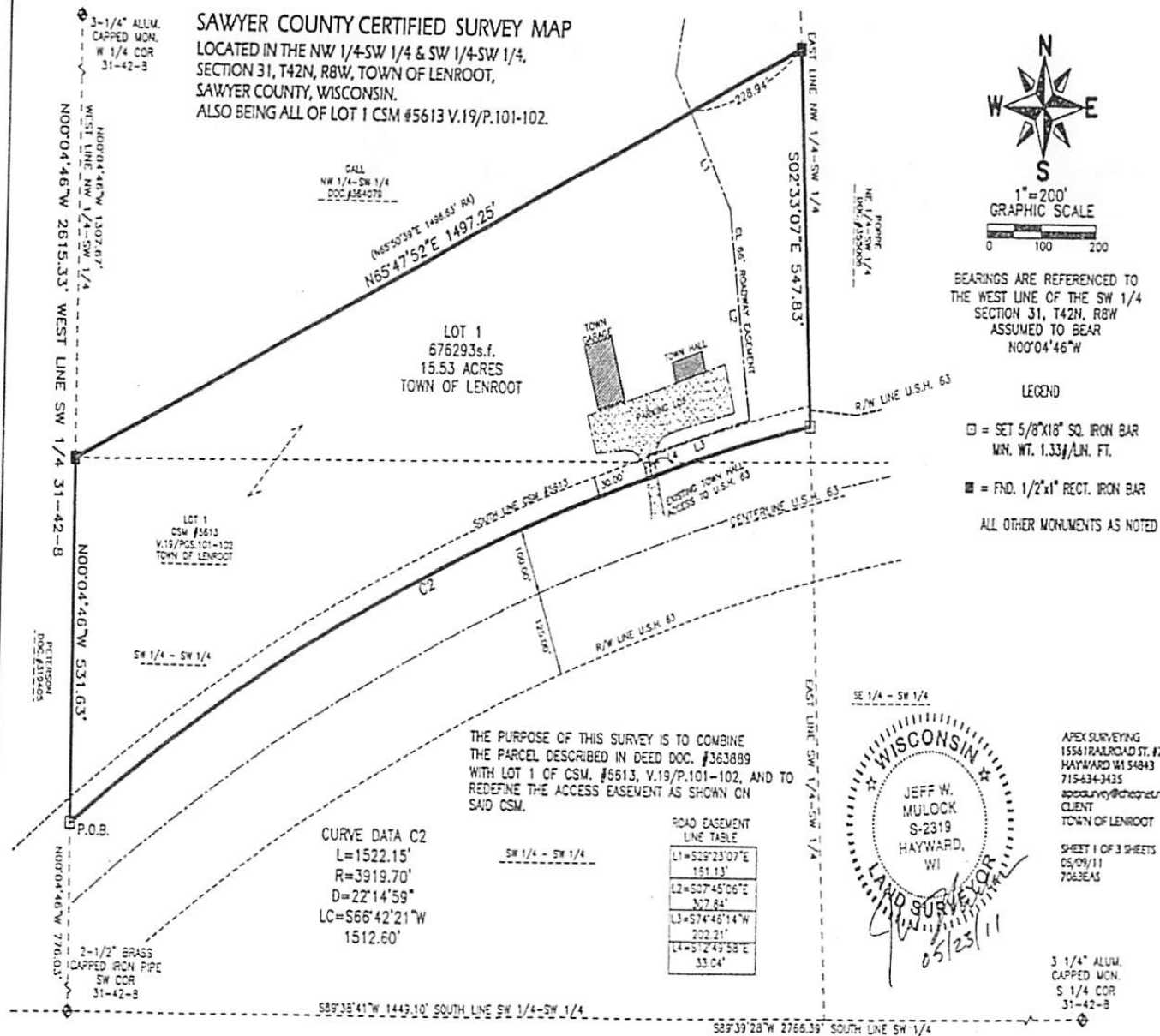






PAULA CHISSER
REGISTER OF DEEDS SAWYER COUNTY, WI
05/31/2011 09:00AM
REC FEE: 30.00

PAGES 3



CSM# 7-7-08

VOL 31 PG 321

Operation and Reclamation Plan

Shop Pit

**Town of Lenroot, Sawyer County
Wisconsin**

Updated March 2015

**Prepared By: Pete Dieckman, P.E.
Northern Wisconsin - Based Engineers, Inc.
P.O. Box 328, Hayward, WI 54843**

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INTRODUCTION.....	3
SITE DESCRIPTION	3
OPERATION PLAN.....	4
ENVIRONMENTAL PROTECTION.....	5
RECLAMATION PLAN.....	5

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PROPERTY LOCATION - TOPO MAP	Figure 2
SITE AERIAL PHOTO	Figure 3
SITE SOILS MAP	Figure 4
WETLAND INVENTORY MAP	Figure 5

OPERATION AND RECLAMATION PLAN

INTRODUCTION

In conjunction with an application for renewal of conditional use permit #00-007, the Town of Lenroot in Sawyer County submits this operation plan for the existing Shop Pit to the Sawyer County Zoning Commission. Material supplied by the gravel pit will be used to upgrade and maintain Town of Lenroot roads.

SITE DESCRIPTION

OWNER

The property is owned by the Town of Lenroot.

LOCATION

Refer to the county and USGS maps of the site, Figures 1,2 and 3. The property is described as Lot 1, being Part of the W 1/2 SW 1/4, S 31, T 42N, R 8W, Parcel .10.6. The physical address of the property is 12215N USH 63, Hayward, WI 54843. The pit shares this 15.53 acre location with the Town of Lenroot Town Hall and Shop.

GEOGRAPHY AND GEOLOGY

Refer to the attached soils map, Figure 4. The property is characterized geologically as ground moraine glacial deposits. The soils are stony and well drained. The soil type explanations are listed below:

69C-Keweenaw-Sayner-Vilas complex, 6 to 15 percent slopes, stony.

69E-Keweenaw-Sayner-Vilas complex, 15 to 45 percent slopes, stony.

ENVIRONMENTAL FACTORS

The property is upland and a check of the Wisconsin Wetland Inventory maps shows a possible wetland off of the property, near the east property line. Future expansion will be to the west and there will not be any conflict with this possible site. See the Wetland Inventory Map, Figure 5 attached.

ADJOINING LAND USE

Private property borders this site on the west, north and east sides. USH 63 is the southern boundary of the site.

OPERATION PLAN

SITE LAYOUT

Figure 3 shows the layout of the property. The Town Hall and Town Shop occupy the east side of the property and the existing pit occupies the middle of the property. The west side of the property is wooded upland.

EXTRACTION SEQUENCE

The Town of Lenroot will continue to extract mineral aggregate in a westward direction.

OPERATION ACTIVITIES

Proposed operation activities include the following:

- Gravel Extraction - continuous
- Conveying - continuous
- Loading –continuous
- Crushing –occasional
- Screening -occasional

HOURS OF OPERATION

Crushing operation activities will occur during the hours of 7 a.m. to 7 p.m., Monday through Friday periodically during the months of May through August. Loading and hauling of gravel from the site will occur during the hours of 6 a.m. to 6:00 p.m., Monday through Friday year round.

OPERATION EQUIPMENT

Equipment to be operated on the site, on an occasional basis, includes a portable crusher, screening plant, dozer and conveyor belt. A loader, tractor/mower, and trucks operate on this site year round as part of the continual maintenance of Town of Lenroot roads. Fuelling of equipment will be performed on-site.

EXTRACTION RATE

The Town of Lenroot plans to extract and crush up to 2000 cubic yards of material per day from the site when the crusher is in operation. Crushed gravel will be loaded and hauled from the pit in quantities up to 1,000 cubic yards per day.

ENVIRONMENTAL PROTECTION

EROSION CONTROL

Precipitation falling within the extraction zone will be contained within the extraction zone limits. Runoff waters are not expected to accumulate in the pit bottom due to the porous subsurface soils.

DUST AND NOISE

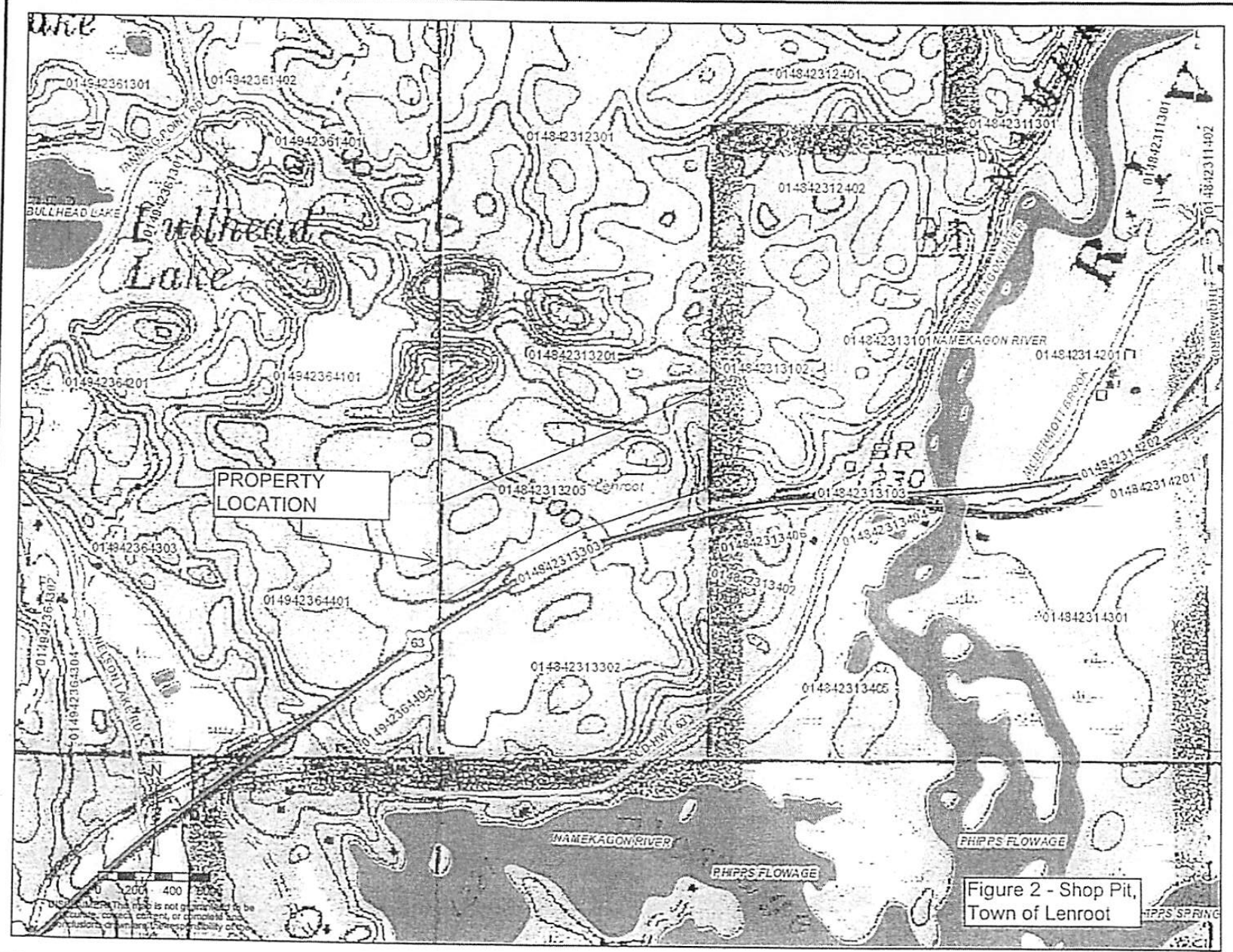
Existing woodlands will provide a natural buffer between the gravel pit operation and surrounding properties.

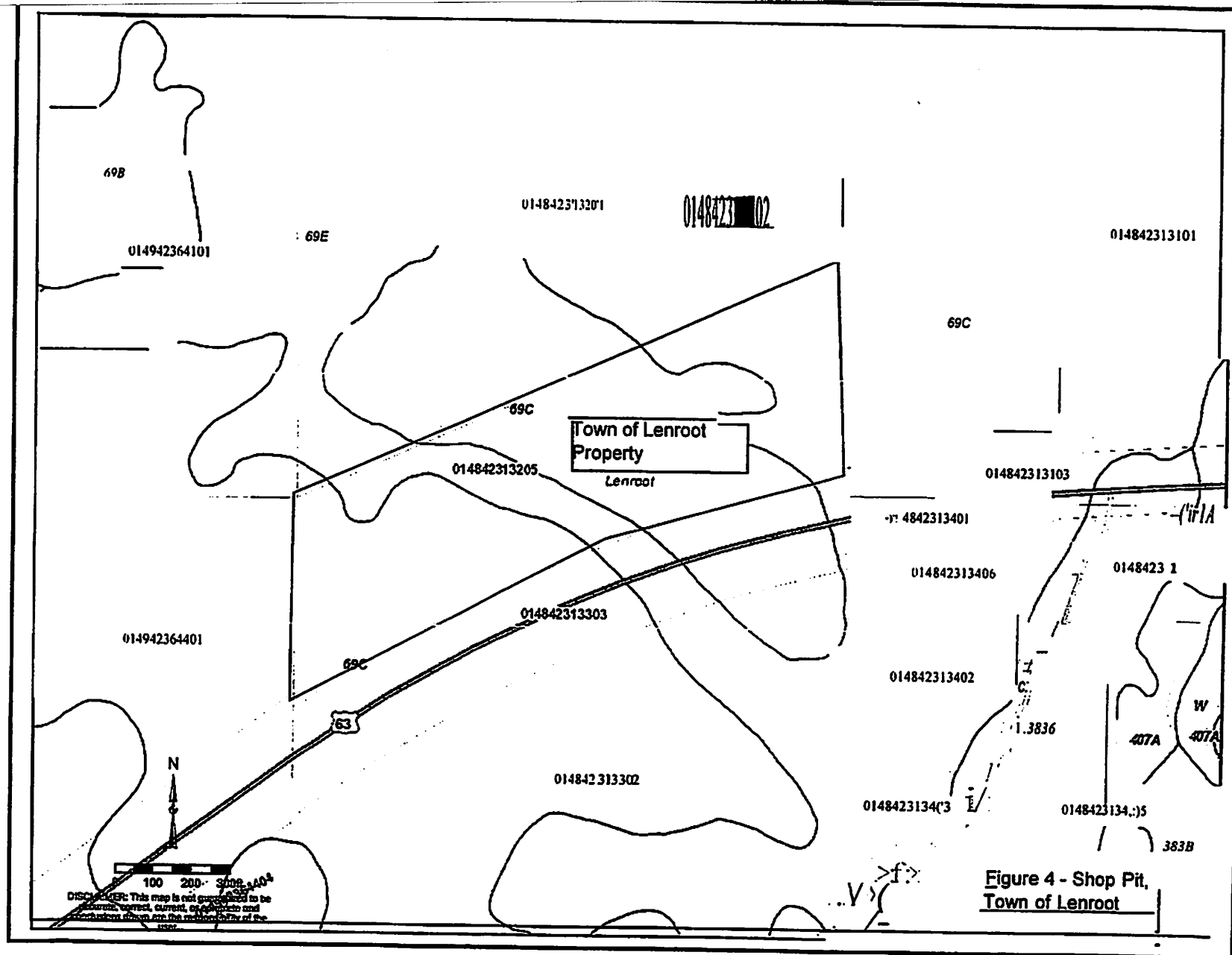
POLLUTION PREVENTION

Operation staff, consisting of town-employed personnel, are routinely provided training with regard to the handling of petroleum-based and hazardous products as well as to the prevention, identification, notification and clean-up of petroleum product spills.

RECLAMATION PLAN

A detailed reclamation plan will be submitted along with notification of pit closure. At time of closure, pit walls will be flattened to slopes of 2:1 (horizontal to vertical) or flatter. Topsoil has been salvaged and stockpiled during pit construction and expansion. At time of closure, the topsoil will be spread uniformly over all disturbed areas. These areas will then be seeded and fertilized. Seed mixture and fertilizer compositions and rates of application will meet borrow pit reclamation requirements as specified in WisDOT's Standard Specifications for Road and Bridge Construction, current edition.







Conditional Use Permit Request STAFF REPORT

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

File: # CUP 24-009

Applicant:

A-1 Plumbing Heating & Excavating Inc.
Bruce or Bart Vitcenda

Property Location & Legal Description:

Town of Round Lake, Prt SW ¼ NW ¼ west of highway S12 T41N R08W and
SE ¼ NE ¼ S11 T41N R08W Parcel #024-841-12-2301, 024-841-11-1401.
60 Acres zoned F-1 known as Joan's Pit

Request: The five (5) year renewal CUP #13-005 for the location of a non-metallic mineral extraction operation, including rock crusher which was originally approved at public hearing on June 21, 2013 and renewed most recently on April 16, 2019.

Project History & Summary of Request

The renewal of CUP 13-005 is for the location of a non-metallic mineral extraction operation including rock. The property is 60 total acres with the total proposed mine site of 16 acres with current active open acres of approximately 5 acres. It is anticipated that approximately 5,000 – 10,000 cubic yards of material would be extracted annually. The surrounding land use is multiple non-metallic mines, forestry, and light residential. Nearest residence is greater than 1,300' away.

The Sawyer County Zoning & Conservation Department currently does not have any complaints for this file.

The current hours of operation are 8 AM to 5 PM, Monday - Friday. With crushing 7 AM to 7 PM, Monday – Friday, March – December (4 or 5 days per year) If weather permits, one single crushing event may occur between January – March.

Financial assurance has been received for \$7600 in the form of an irrevocable letter of credit.

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 Maintain compliance with NR 135 (reclamation plan)
- 2 Maintain compliance with Plan of Operation including current hours of operation from 8 AM to 5 PM, Monday - Friday. With crushing 7 AM to 7 PM, Monday – Friday, March – December (4 to 5 days per year) with allowance of 1 additional crushing event January or February if weather permits.
- 3 Maintain compliance with Department of Natural Resources Chapter 30
- 4 All other town, County, State, Federal Laws are followed

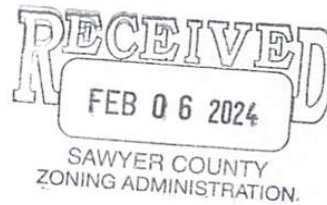
Findings of Fact:

Does the request do the following? Yes/No

1. Promote the public health, safety, convenience and general welfare;
2. Encourage planned and orderly land use development;
3. Protect property values and the property tax base;
4. Permit the careful planning and efficient maintenance of highway systems;
5. Ensure adequate highway, utility, health, educational and recreational facilities;
6. Recognize the needs of agriculture, forestry, industry and business in future growth
7. Encourage uses of land and other natural resources which are in accordance with their character and adaptability;
8. Provide adequate light and air, including access to sunlight for solar collectors and to wind for wind energy systems;
9. Encourage the protection of groundwater resources;
10. Preserve wetlands;
11. Conserve soil, water and forest resources;
12. Protect the beauty and amenities of landscape and man-made developments;
13. Provide healthy surroundings for family life;
14. Promote the efficient and economical use of public funds.



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:

A-1 Plumbing Heating & Excavating Inc.
1474N State Hwy 40
Exeland, WI 54835

Phone: 715-943-2382

Email: A1plumbingoffice@yahoo.com

Property description including Parcel Number: PRT SW ¼ NW ¼ West of Highway S12 T41N R08W and SE ¼ NE ¼ S11 T41N R08W. Parcel# 024-841-12-2301, 024-841-11-1401. Property is Zoned Forestry One (F-1) and is 60 acres. Known as Joan's Pit.

Permit desired for:

The five (5) year renewal of conditional use permit #13-005 for the location of a non-metallic mineral extraction operation, including rock crusher. The CUP was originally approved at public hearing on June 21, 2013. *AND MOST RECENTLY ON 4-16-19.*

Bart Vitcerda
Bart Vitcerda

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:

Rev January 2023

April 19, 2024

Real Estate Sawyer County Property Listing

Today's Date: 2/8/2024



Description

Updated: 11/27/2018

Tax ID:	26595
PIN:	57-024-2-41-08-12-2 03-000-000010
Legacy PIN:	024841122301
Map ID:	.7.1
Municipality:	(024) TOWN OF ROUND LAKE
STR:	S12 T41N R08W
Description:	PRT SWNW WEST OF HIGHWAY
Recorded Acres:	20.000
Calculated Acres:	18.519
Lottery Claims:	0
First Dollar:	No
Zoning:	(F-1) Forestry One
ESN:	461



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: 5/28/2013

WARRANTY DEED

Date Recorded: 4/26/2013

[384713](#)



Ownership

Updated: 11/27/2018

A-1 PLUMBING HEATING & EXCAV INC EXELAND WI

Billing Address:

A-1 PLUMBING HEATING & EXCAV INC
1474N STATE HWY 40
EXELAND WI 54835

Mailing Address:

A-1 PLUMBING HEATING & EXCAV INC
1474N STATE HWY 40
EXELAND WI 54835



Site Address * indicates Private Road

12550W STATE HWY 77 HAYWARD 54843



Property Assessment

Updated: 7/16/2019

2023 Assessment Detail

Code	Acres	Land	Imp.
G2-COMMERCIAL	4.000	12,000	0
G6-PRODUCTIVE FOREST	16.000	24,000	0

2-Year Comparison

	2022	2023	Change
Land:	36,000	36,000	0.0%
Improved:	0	0	0.0%
Total:	36,000	36,000	0.0%



Property History

N/A

Real Estate Sawyer County Property Listing

Today's Date: 2/8/2024



Description

Updated: 11/27/2018

Tax ID:	26546
PIN:	57-024-2-41-08-11-1 04-000-000010
Legacy PIN:	024841111401
Map ID:	.4.1
Municipality:	(024) TOWN OF ROUND LAKE
STR:	S11 T41N R08W
Description:	SENE
Recorded Acres:	40.000
Calculated Acres:	39.914
Lottery Claims:	0
First Dollar:	No
Zoning:	(F-1) Forestry One
ESN:	461



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: 5/28/2013

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Ownership

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Mailing Address:

A-1 PLUMBING HEATING & EXCAV INC
1474N STATE HWY 40
EXELAND WI 54835



Site Address * indicates Private Road

N/A



Property Assessment

Updated: 7/16/2019

2023 Assessment Detail

Code	Acres	Land	Imp.
G6-PRODUCTIVE FOREST	40.000	56,000	0

2-Year Comparison

	2022	2023	Change
Land:	56,000	56,000	0.0%
Improved:	0	0	0.0%
Total:	56,000	56,000	0.0%



Property History

N/A

A-1 Plumbing, Heating, & Excavating, Inc.
Joan's Pit. Non-Metallic Mine
Operation and Maintenance Plan

Joan's Pit

Operation Plan

owner: A-1 Plumbing, Heating, & Excavating Inc.

Parcel IDs: 024-841-11-1401 & 024-841-12-2301

Property description: the SE 1/4 NE 1/4, S11, T41N, R 8W, Parcel 4.1 and part of the SW 1/4 NW 1/4 lying west of State Hwy 77 of S12, T 41N, R 8W, parcel 7.1.

location: Sawyer County. East of Hayward. Approx. 3/8 mi west of Pit Rd. on the northwest side of State Hwy. 77

Property size: 60 acres Proposed mine: 16 acres

Proposed activities

extracting, crushing, conveying, and stockpiling of gravel

Hours of operation

normal hours: 8:00 a.m.- 5:00 p.m. Crushing hours: 7:00 a.m.- 7:00 p.m.

days of week: Monday - Friday months of year: March-December

crushing operations: four or five days per year

** If needed permits, single crushing cycle allowed Jan or Feb.*

Access Route

access to site is existing driveway off State Hwy. 77

Equipment used

Equipment used during pit operation will be excavator, front end loader, dump trucks, and crusher

Principle structure/Residences

the closest principle structure/residence is approx. 1800 feet from pit

Excavation

the depth of the pit will be no more than 25 ft.. Approx. 5000 - 10000 yards of gravel are anticipated to be excavated each yr.. Excavation will continue until the decided setbacks are reached. (see reclamation plan)

Lot Lines

lot lines have been marked. Identification and safety signs are placed at pit entrance

Navigable water/wetlands

property has no navigable water or wetlands

Erosion control

runoff from the site will be controlled by being contained within the pit itself. Pit will be started in natural occurring hole and water will be drained therein. As pit expands, water will continually drain to within pit as to avoid runoff

Environmental considerations

All operations will be done in a way that will minimize the production of noise, vibration, or dust. Best management practices will be used to minimize erosion and pollution of surface and ground water

Activities/ Projects mining operation supports

The mined materials will support projects being done by the applicant. Materials will predominantly be used for residential projects with some commercial projects upon request. Applicant would consider selling material to State, County, or Townships if requested

Reclamation Plan

A reclamation Plan is developed, and approved by the Sawyer County Land and Water Conservation Department

Joan's Pit

Maintenance Plan

Runoff from pit will be internally drained at all times.

Joans pit

01/29/24, 2:19 PM

☐

Hide on map

Area

 4.78 ac

Perimeter

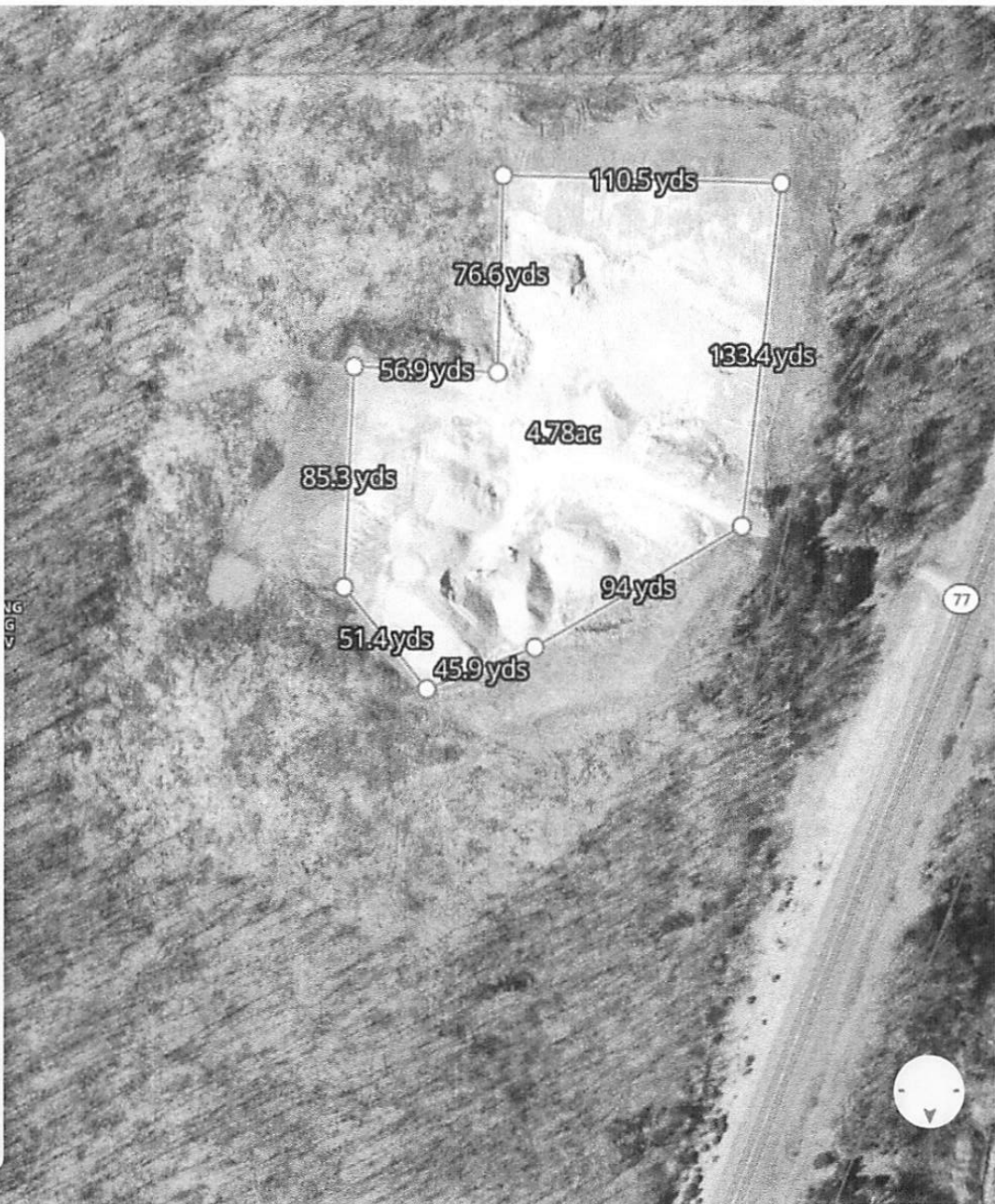
 654 yds

 Share

 Add to Folder

 Edit

 Delete















Proposed Ordinance Amendment for Multi-Dwelling Development (Version 6.0)

Sawyer County Zoning Ordinance

SECTION 2.0 DEFINITIONS

(22 added) CONDOMINIUM PLAT: A plat recorded in the Sawyer County Register of Deeds Office pursuant to Wis. Stat. § 703.11 or as required pursuant to Wis. Stat. § 703.365(4), as each may be amended.

(30 renumbered) DWELLING: A building designed or used exclusively as the living quarters for one or more persons, including a manufactured home which meets the dimensional requirements as originally designed.

(31 renumbered) DWELLING, MULTI-FAMILY: Two or more separate Dwelling Units on one Lot but which may have joint services and/or facilities.

(32 renumbered) DWELLING, SINGLE FAMILY: A Dwelling or Dwelling Unit designed as a residence for one family.

(33 renumbered) DWELLING, TWO-FAMILY: One Building that contains two Dwelling Units with independent cooking and bathroom facilities. For example, a duplex is a Dwelling, Two-Family.

(34 renumbered) DWELLING UNIT: A single unit, containing one or more rooms, that provides complete independent living facilities for one or more persons. The term "dwelling unit" includes provisions for living, sleeping, eating, food preparation and sanitation. A typical single-family home is considered one dwelling unit. Accordingly, a duplex contains two dwelling units.

(58 renumbered) LOT: A parcel of land occupied or capable of being occupied by one Building or one or more Dwelling Units and the Accessory Structures or Uses customarily incidental to them, including such open spaces as are required by this Ordinance.

(72 renumbered) MULTI-DWELLING DEVELOPMENT: A Development, regardless of form of ownership consisting of two or more Dwelling Units, including a Condominium, Resort, hotel, motel or other Dwelling intended for residential or long or short-term rental uses, all of which are to be located on the same Lot or Condominium Plat.

(86 renumbered) RESORT: A for-profit business that provides rental to the public of more than 1 (one) DWELLING UNIT contained in one or more permanent Buildings used primarily for recreational use located on the same Lot or Condominium Plat.

8.21 Application. Applications for a Conditional Use permit shall be made to the County Zoning Administrator who shall refer the complete application within 60 days to the County Zoning Committee. In addition to the information required under Section 9.2 for a land use permit, the County Zoning Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request. The application for the Conditional Use permit shall be signed by the owner of the property, or by the Condominium Association President if the Conditional Use Permit is for a Multi-Dwelling Development. An application for Conditional Use permit for a Multi-Dwelling Development in the RR-1 and RR-2 zone districts must be signed by the owner of the property, and the condominium association's legal representative if the Conditional Use permit is to be issued to the Condominium association, or the Resort manager, if the Conditional Use permit is to be issued to the Resort.

SECTION 17.0 ZONE DISTRICTS

17.1 R-1: Residential One District

This district provides for one-family and two-family residential development protected from traffic hazards and the intrusion of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas, which can be economically and readily served by utilities and municipal facilities.

A) Permitted Uses

- 1) Single Family Dwelling and Two-Family Dwelling in non-Shoreland

Note: Add 5,000 sq./ft for each additional unit over one pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

- 1) Multi-Family Dwelling

Note: Add 5,000 sq./ft for each additional unit over one pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

17.2 RR-1: Residential/Recreational One District

A) Permitted Uses

- 1) Single Family Dwelling and Two-Family Dwelling in non-Shoreland

Note: Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

17.2(B)(15) MULTI-DWELLING DEVELOPMENT or other similar development which in the opinion of the County Zoning Committee are of the same general character or clearly incidental to a use authorized by Conditional Use. Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance.

17.2(B)(15)(a). A Conditional Use permit is not required for a conversion of an existing Multi-Dwelling Development to a different form of ownership (i.e., to condominium ownership) unless the number of Dwelling units will increase.

17.2(B)(15)(b). A Conditional Use permit is required for a Resort and use is only allowed in Shoreland when an existing legal non-conforming Multi-Dwelling Development exists. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

A Conditional Use permit is not required for a legal non-conforming Resort in existence prior to March 21, 2022 and has not been discontinued for a period of 12 months. Any addition of new Dwelling Units to a legal non-conforming Resort or Multi-Dwelling Development shall require a Conditional Use permit

Note: Use of a Multi-Dwelling Development is allowed in Shoreland and non-Shoreland if it is an existing, legal non-conforming use prior to June 20, 1985 and such use may be continued although the use does not conform with the provisions of this Ordinance. See Sec. 3.4 and Sec. 11.0 -11.5 of the Sawyer County Shoreland-Wetland Protection Ordinance, as it may be amended.

21) Resorts

17.3 RR-2: Residential/Recreational Two District

A) Permitted Uses

1) Single Family Dwelling and Two-Family Dwelling in non-Shoreland

Note: Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

16) MULTI-DWELLING DEVELOPMENT or other similar development which in the opinion of the County Zoning Committee are of the same general character or clearly incidental to a use authorized by Conditional Use. Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance.

17.3(B)(16)(a) A Conditional Use permit is not required for a conversion of an existing Multi-Dwelling Development to a different form of ownership (i.e., to condominium ownership) unless the number of Dwelling units will increase

17.2(B)(15)(b). A Conditional Use permit is required for a Resort and use is only allowed in Shoreland when an existing legal non-conforming Multi-Dwelling Development exists. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

A Conditional Use permit is not required for a legal non-conforming Resort in existence prior to March 21, 2022 and has not been discontinued for a period of 12 months. Any addition of new Dwelling Units to a legal non-conforming Resort or Multi-Dwelling Development shall require a Conditional Use permit

Note: Use of a Multi-Dwelling Development is allowed in Shoreland and non-Shoreland if it is an existing, legal non-conforming use prior to June 20, 1985 and such use may be continued although the use does not conform with the provisions of this Ordinance. See Sec. 3.4 and Sec. 11.0 -11.5 of the Sawyer County Shoreland-Wetland Protection Ordinance, as it may be amended.

22) Resorts

Sawyer County Shoreland-Wetland Protection Ordinance

Section 3.4 PROHIBITED USES.

3.41 (Renumber introductory paragraph)

3.42 Dwelling, Multi-Family.

3.43 Dwelling, Two-Family.

3.44 Multi-Dwelling Development unless existing Dwelling Units are existing non-conforming. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

Section 5.1 (1)

The construction of new Dwellings or replacement Dwellings; additions to existing principal structures and the construction of accessory buildings may be permitted provided all other requirements, regulations and setbacks can be met. Only one (1) Dwelling Unit is allowed per legal lot.

Section 16.02. (Add the following):

Condominium Plat: A plat recorded in the Sawyer County Register of Deeds Office pursuant to Wis. Stat. § 703.11 or as required pursuant to Wis. Stat. § 703.365(4), as each may be amended.

Dwelling: A building designed or used exclusively as the living quarters for one or more persons, including a manufactured home which meets the dimensional requirements as originally designed.

Dwelling, Multi-Family. Two or more separate Dwelling Units on one Lot but which may have joint services and/or facilities. See Section 3.4 PROHIBITED USES

Dwelling, Single Family. A Dwelling or Dwelling Unit designed as a residence for one family

Dwelling, Two-Family: One Building that contains two Dwelling Units with independent cooking and bathroom facilities. For example, a duplex is a Dwelling, Two-Family. See Section 3.4 PROHIBITED USES

Dwelling Unit: A single unit, containing one or more rooms, that provides complete independent living facilities for one or more persons. The term "dwelling unit" includes provisions for living, sleeping, eating, food preparation and sanitation. A typical single-family home is considered one dwelling unit. Accordingly, a duplex contains two dwelling units.

Multi-Dwelling Development: A Development, regardless of form of ownership consisting of two or more Dwelling Units, including a Condominium, Resort, hotel, motel or other Dwelling intended for residential or long or short-term rental uses, all of which are to be located on the same Lot or Condominium Plat. See Section 3.4 PROHIBITED USES

(Renumber remaining subsections in Section 16.02(11)-(35).)

**Proposed Ordinance Amendment for Multi-Dwelling Development
(Version ~~5.46.0~~)**

Sawyer County Zoning Ordinance

SECTION 2.0 DEFINITIONS

(22 added) CONDOMINIUM PLAT: A plat recorded in the Sawyer County Register of Deeds Office pursuant to Wis. Stat. § 703.11 or as required pursuant to Wis. Stat. § 703.365(4), as each may be amended.

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(31 renumbered) DWELLING, MULTI-FAMILY: Two or more separate Dwelling Units on one Lot but which may have joint services and/or facilities.

(32 renumbered) DWELLING, SINGLE FAMILY: A Dwelling or Dwelling Unit designed as a residence for one ~~Family~~family.

(33 renumbered) DWELLING, TWO-FAMILY: One Building that contains two Dwelling Units with independent cooking and bathroom facilities. For example, a duplex is a Dwelling-~~Unit~~, Two-Family.

(34 renumbered) DWELLING UNIT: A ~~Building single unit, containing one or portion thereof with more~~ rooms ~~arranged, designed, used or intended to be used, that provides complete independent living facilities~~ for one Family, ~~including guesthouses with kitchen or more persons. The term "dwelling unit" includes provisions for living, sleeping, eating, food preparation and bathroom facilities, accessory structures with a HABITABLE LIVING AREA area sanitation. A typical single-family home is considered to be DWELLING UNITS. Houseboats and watercraft on land shall not be used as DWELLINGS or DWELLING UNITS. one dwelling unit. Accordingly, a duplex contains two dwelling units.~~

(58 renumbered) LOT: A parcel of land occupied or capable of being occupied by one Building or one or more Dwelling Units and the Accessory Structures or Uses customarily incidental to them, including such open spaces as are required by this Ordinance.

(72 renumbered) MULTI-DWELLING DEVELOPMENT: A Development, regardless of form of ownership consisting of two or more Dwelling Units, including a Condominium, Resort, hotel, motel or other Dwelling intended for residential or long or short-term rental uses, all of which are to be located on the same Lot or Condominium Plat.

(86 renumbered) RESORT: A for-profit business that provides rental to the public of more than 1 (one) DWELLING UNIT contained in one or more permanent Buildings used primarily for recreational use located on the same Lot or Condominium Plat.

8.21 Application. Applications for a Conditional Use permit shall be made to the County Zoning Administrator who shall refer the complete application within 60 days to the County Zoning Committee. In addition to the information required under Section 9.2 for a land use permit, the County Zoning Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request. The application for the Conditional Use permit shall be signed by the owner of the property, or by the Condominium Association President if the Conditional Use Permit is for a Multi-Dwelling Development. An application for Conditional Use permit for a Multi-Dwelling Development in the RR-1 and RR-2 zone districts must be signed by the owner of the property, and the condominium association's legal representative if the Conditional Use permit is to be issued to the Condominium association, or the Resort manager, if the Conditional Use permit is to be issued to the Resort.

SECTION 17.0 ZONE DISTRICTS

17.1 R-1: Residential One District

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A) Permitted Uses

1) ~~Dwelling~~-Single Family Dwelling and ~~Dwelling~~-Two-Family- Dwelling in non-Shoreland

Note: ~~Each Dwelling Unit must meet the dimensional requirements~~Add 5,000 sq./ft for each additional unit over one pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

1) ~~Dwelling~~-Multi-Family- Dwelling

Note: ~~Each Dwelling Unit must meet the dimensional requirements~~Add 5,000 sq./ft for each additional unit over one pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

17.2 RR-1: Residential/Recreational One District

A) Permitted Uses

1) ~~Dwelling~~, Single Family Dwelling and ~~Dwelling~~, Two-Family Dwelling in non-Shoreland.

Note: Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

17.2(B)(15) MULTI-DWELLING DEVELOPMENT or other similar development which in the opinion of the County Zoning Committee are of the same general character or clearly incidental to a use authorized by Conditional Use. Each Dwelling Unit ~~contained in the Multi-Dwelling Development~~ must meet double the ~~minimum~~ dimensional requirements ~~contained in Sec~~for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance.

17.2(B)(15)(a). A Conditional Use permit is not required for a conversion of an existing Multi-Dwelling Development to a different form of ownership (i.e., to condominium ownership) unless the number of Dwelling units will increase.

17.2(B)(15)(b). A Conditional Use permit is required for a Resort and use is only allowed in Shoreland when an existing legal non-conforming Multi-Dwelling Development exists. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

A Conditional Use permit is not required for a legal non-conforming Resort ~~or Multi-Dwelling Development existing at the time of adoption or amendment of this Ordinance, in existence prior to March 21, 2022~~ and ~~such use may be continued although the use does~~has not conform with the provisions of this Ordinance been discontinued for a period of 12 months. Any addition of new Dwelling Units to a legal non-conforming Resort or Multi-Dwelling Development shall require a Conditional Use permit.

Note: Use of a Multi-Dwelling Development is allowed in Shoreland and non-Shoreland if it is an existing, legal non-conforming use ~~at the time of adoption or amendment of this Ordinance, prior to June 20, 1985~~ and such use may be continued although the use does not conform with the provisions of this Ordinance. See Sec. 3.4 and Sec. 11.0 - 11.5 of the Sawyer County Shoreland-Wetland Protection Ordinance, as it may be amended.

21) Resorts

17.3 RR-2: Residential/Recreational Two District

A) Permitted Uses

1) ~~Dwelling~~, Single Family Dwelling and ~~Dwelling~~, Two-Family: Dwelling in non-Shoreland

Note: Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

16) MULTI-DWELLING DEVELOPMENT or other similar development which in the opinion of the County Zoning Committee are of the same general character or clearly incidental to a use authorized by Conditional Use. Each Dwelling Unit ~~contained in the Multi-Dwelling Development~~ must meet ~~the minimum~~double the dimensional requirements for Width Of Lot Dimensional Requirements contained in Secor Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance.

17.3(B)(16)(a) A Conditional Use permit is not required for a conversion of an existing Multi-Dwelling Development to a different form of ownership (i.e., to condominium ownership.) unless the number of Dwelling ~~Units~~units will increase.

17.2(B)(15)(b). A Conditional Use permit is required for a Resort and use is only allowed in Shoreland when an existing legal non-conforming Multi-Dwelling Development exists. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

A Conditional Use permit is not required for a legal non-conforming Resort ~~or Multi-Dwelling Development existing at the time of adoption or amendment of this Ordinance, in existence prior to March 21, 2022~~ and ~~such use may be continued although the use does~~has not ~~conform with the provisions of this Ordinance been discontinued for a period of 12 months.~~ Any addition of new Dwelling Units to a legal non-conforming Resort or Multi-Dwelling Development shall require a Conditional Use permit.

Note: Use of a Multi-Dwelling Development is allowed in Shoreland and non-Shoreland if it is an existing, legal non-conforming use ~~at the time of adoption or amendment of this Ordinance, prior to June 20, 1985~~ and such use may be continued although the use does not conform with the provisions of this Ordinance. See Sec. 3.4 and Sec. 11.0 - 11.5 of the Sawyer County Shoreland-Wetland Protection Ordinance, as it may be amended.

22) Resorts

Sawyer County Shoreland-Wetland Protection Ordinance

Section 3.4 PROHIBITED USES.

3.41 (Renumber introductory paragraph)

3.42 Dwelling, Multi-Family.

3.43 Dwelling, Two-Family.

3.44 Multi-Dwelling Development unless existing Dwelling Units are existing non-conforming. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

~~Note: A use referenced above that is an existing, legal non-conforming use at the time of adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance. The provisions of Section 11 relating to non-conforming uses apply.~~

Section 5.1 (1)

The construction of new Dwellings or replacement Dwellings; additions to existing principal structures and the construction of accessory buildings may be permitted provided all other requirements, regulations and setbacks can be met. Only one (1) Dwelling Unit is allowed per legal lot.

Section 16.02. (Add the following):

Condominium Plat: A plat recorded in the Sawyer County Register of Deeds Office pursuant to Wis. Stat. § 703.11 or as required pursuant to Wis. Stat. § 703.365(4), as each may be amended.

Dwelling: A building designed or used exclusively as the living quarters for one or more ~~families~~persons, including a manufactured home which meets the dimensional requirements as originally designed.

Dwelling, Multi-Family. Two or more separate Dwelling Units on one Lot but which may have joint services and/or facilities. See Section 3.4 PROHIBITED USES

Dwelling, Single Family. A Dwelling or Dwelling Unit designed as a residence for one ~~Family.~~family

Dwelling, Two-Family: One ~~building~~Building that contains two ~~dwelling-units~~Dwelling Units with independent cooking and bathroom facilities. For example, a duplex is a Dwelling, Two-Family. See Section 3.4 PROHIBITED USES

Dwelling Unit: A ~~building-single unit, containing one or portion thereof with more~~ rooms ~~arranged, designed, used or intended to be used, that provides complete independent living facilities~~ for one or more persons. The term "dwelling unit" includes provisions for living, sleeping, eating, food preparation and sanitation. A typical single-family, including guesthouses with kitchen and bathroom facilities, accessory structures with a habitable living area are home is considered to be Dwelling Units. one dwelling unit. Accordingly, a duplex contains two dwelling units.

Multi-Dwelling Development: A ~~development~~Development, regardless of form of ownership consisting of two or more Dwelling Units, including a Condominium, Resort,

hotel, motel or other Dwelling intended for residential or long or short-term rental uses,
all of which are to be located on the same ~~lot~~Lot or Condominium Plat. See Section 3.4

PROHIBITED USES

(Renumber remaining subsections in Section 16.02(11)-(35).)

Proposed Ordinance Amendment for Multi-Dwelling Development
(Version 6.0)

Sawyer County Zoning Ordinance

SECTION 2.0 DEFINITIONS

~~(29(22 added)~~ **CONDOMINIUM PLAT:** A plat recorded in the Sawyer County Register of Deeds Office pursuant to Wis. Stat. § 703.11 or as required pursuant to Wis. Stat. § 703.365(4), as each may be amended.

~~(30 renumbered)~~ **DWELLING:** A building designed or used exclusively as the living quarters for one or more ~~families~~persons, including a manufactured ~~homes~~home which ~~meet~~meets the dimensional requirements as originally designed.

~~(30(31 renumbered)~~ **DWELLING, MULTI-FAMILY:** A dwelling or group of dwellings on one plot containing separate living quarters for threeTwo or more ~~families~~separate Dwelling Units on one Lot but which may have joint services and/or facilities.

~~(34(32 renumbered)~~ **DWELLING UNIT, SINGLE FAMILY:** A ~~building~~Dwelling or portion thereof with rooms arranged, Dwelling Unit designed, used or intended to be used as a residence for one family. ~~Guesthouses with kitchen~~

~~(33 renumbered)~~ **DWELLING, TWO-FAMILY:** One Building that contains two Dwelling Units with independent cooking and bathroom facilities;. For example, a duplex is a Dwelling, Two-Family.

~~(34 renumbered)~~ **DWELLING UNIT:** A single unit, containing one or more rooms, that provides complete independent living facilities for one or more persons. The term "dwelling unit" includes provisions for living, sleeping, eating, food preparation and any accessory structures with a HABITABLE LIVING AREA are sanitation. A typical single-family home is considered to be one dwelling unit. Accordingly, a duplex contains two dwelling units. ~~Houseboats and watercraft on land shall not be used as DWELLINGS or DWELLING UNITS. Only one dwelling unit is allowed per Lot.~~

~~(57(58 renumbered)~~ **LOT:** A parcel of land occupied or capable of being occupied by one Building or one or more Dwelling UnitUnits and the Accessory ~~Buildings~~Structures or ~~uses~~Uses customarily incidental to ~~it~~them, including such open spaces as are required by this ~~ordinance~~Ordinance.

~~(74(72 renumbered)~~ **MULTI-DWELLING DEVELOPMENT:** A Development, regardless of form of ownership consisting of ~~three~~two or more DWELLING UNITS, condominium, resortDwelling Units, including a Condominium, Resort, hotel or, motel

~~units~~ or other ~~units/structures~~ Dwelling intended for residential or long or short-term rental uses, all of which are to be located on the same ~~LOT~~. Lot or Condominium Plat.

~~(85(86 renumbered)~~ **RESORT:** A ~~resort is a~~ for-profit business ~~holding a Seller's Permit and licensed by the Wisconsin Department of Health and Family Services,~~ ~~which that~~ provides rental to the public of more than 1 (one) DWELLING UNITSUNIT contained in one or more permanent ~~buildings~~ Buildings used primarily for recreational use located on the same Lot or Condominium Plat.

8.21 Application. Applications for a ~~conditional use~~ Conditional Use permit shall be made to the County

Zoning Administrator who shall refer the complete application within 60 days to the County Zoning Committee. In addition to the information required under Section 9.2 for a land use permit, the County Zoning Committee may require the applicant to submit other pertinent data and information necessary to properly evaluate the request. The application for the Conditional Use permit shall be signed by the owner of the property, or by the Condominium Association President if the Conditional Use Permit is for a Multi-Dwelling Development. An application for Conditional Use permit for a Multi-Dwelling Development in the RR-1 and RR-2 zone districts must be signed by the owner of the property, and the condominium association's legal representative if the Conditional Use permit is to be issued to the Condominium association, or the Resort manager, if the Conditional Use permit is to be issued to the Resort.

SECTION 17.0 ZONE DISTRICTS

17.1 R-1: Residential One District

This district provides for one-family and two-family ~~year-round~~ residential development protected from traffic hazards and the intrusion of incompatible land uses. It is intended to encourage such development around existing residential areas where soil conditions are suitable for such development and in those areas, which can be economically and readily served by utilities and municipal facilities.

A) Permitted Uses

~~1) One family and two family year-round dwellings.~~

1) Single Family Dwelling and Two-Family Dwelling in non-Shoreland

Note: Add 5,000 sq./ft for each additional unit over one pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

~~17.1(B)(1) Multi-family (3 or more) dwelling units.~~ Family Dwelling

Note: Add 5,000 sq./ft for each additional unit over one pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

17.2 RR-1: Residential/Recreational One District

A) Permitted Uses

~~1) One-family and two-family dwellings.~~

1) Single Family Dwelling and Two-Family Dwelling in non-Shoreland

Note: Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

17.2(B)(15) MULTI-DWELLING DEVELOPMENT ~~(i.e. new condominium, hotel, motel or resort, or other similar development which is in the opinion of the County Zoning Committee are of the same general scale and character). (Does not include the or clearly incidental to a use authorized by Conditional Use. Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance.~~

17.2(B)(15)(a). A Conditional Use permit is not required for a conversion of an existing properties to a condominium Multi-Dwelling Development to a different form of ownership, existing resorts, motels, hotels or any other existing multi dwelling development (i.e., to condominium ownership) unless more rental/dwelling the number of Dwelling units are being proposed by plat or other means that will increase.

17.2(B)(15)(b). A Conditional Use permit is required for a Resort and use is only allowed in Shoreland when an existing legal non-conforming Multi-Dwelling Development exists. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

A Conditional Use permit is not required for a legal non-conforming Resort in existence prior to March 21, 2022 and has not been discontinued for a period of 12 months. Any addition to the of new Dwelling Units to a legal non-conforming Resort or Multi-Dwelling Development shall require a Conditional Use permit

Note: Use of a Multi-Dwelling Development is allowed in Shoreland and non-Shoreland if it is an existing rental/dwelling units.), legal non-conforming use prior to June 20, 1985 and such use may be continued although the use does not conform with the provisions of this Ordinance. See Sec. 3.4 and Sec. 11.0 -11.5 of the Sawyer County Shoreland-Wetland Protection Ordinance, as it may be amended.

21) Resorts

17.3 RR-2: Residential/Recreational Two District

A) Permitted Uses

~~1) One-family and two-family dwellings.~~

1) Single Family Dwelling and Two-Family Dwelling in non-Shoreland

Note: Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance

B) Uses Authorized by Conditional Use

~~17.3(B)(16)~~ (16) MULTI-DWELLING DEVELOPMENT or other similar development including a condominium, hotel, motel or resort, or other development, which in the opinion of the County Zoning Committee, are of the same general scale and character. Does character or clearly incidental to a use authorized by Conditional Use. Each Dwelling Unit must meet double the dimensional requirements for Width Of Lot or Depth of Lot and Area of Lot pursuant to Section 18.0 of the Sawyer County Zoning Ordinance.

17.3(B)(16)(a) A Conditional Use permit is not include conversions of required for a conversion of an existing properties Multi-Dwelling Development to a different form of ownership (i.e., to condominium ownership.) unless DWELLING UNITS are being proposed by plat or other means that the number of Dwelling units will increase

17.2(B)(15)(b). A Conditional Use permit is required for a Resort and use is only allowed in Shoreland when an existing legal non-conforming Multi-Dwelling Development exists. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

A Conditional Use permit is not required for a legal non-conforming Resort in existence prior to March 21, 2022 and has not been discontinued for a period of 12 months. Any addition to the existing rental/DWELLING UNITS. Does not include existing MULTI-DWELLING DEVELOPMENTS unless creating additional DWELLING UNITS of new Dwelling Units to a legal non-conforming Resort or Multi-Dwelling Development shall require a Conditional Use permit

Note: Use of a Multi-Dwelling Development is allowed in Shoreland and non-Shoreland if it is an existing, legal non-conforming use prior to June 20, 1985 and such use may be continued although the use does not conform with the provisions of this Ordinance. See Sec. 3.4 and Sec. 11.0 -11.5 of the Sawyer County Shoreland-Wetland Protection Ordinance, as it may be amended.

22) Resorts

Sawyer County Shoreland-Wetland Protection Ordinance

Section 3.4 PROHIBITED USES.

3.41 (Renumber introductory paragraph)

3.42 Dwelling, Multi-Family.

3.43 Dwelling, Two-Family.

3.44 Multi-Dwelling Development unless existing Dwelling Units are existing non-conforming. An existing legal non-conforming Multi-Dwelling Development would have needed to be in existence prior to June 20, 1985.

Section 5.1 (1)

The construction of new ~~dwelling~~Dwellings or replacement ~~dwelling~~Dwellings; additions to existing principal structures and the construction of accessory buildings may be permitted provided all other requirements, regulations and setbacks can be met. Only one (1) ~~principal dwelling/habitable structure~~Dwelling Unit is allowed per legal lot.

Section 16.02. (Add the following):

Condominium Plat: A plat recorded in the Sawyer County Register of Deeds Office pursuant to Wis. Stat. § 703.11 or as required pursuant to Wis. Stat. § 703.365(4), as each may be amended.

Dwelling: A building designed or used exclusively as the living quarters for one or more persons, including a manufactured home which meets the dimensional requirements as originally designed.

Dwelling, Multi-Family. Two or more separate Dwelling Units on one Lot but which may have joint services and/or facilities. See Section 3.4 PROHIBITED USES

Dwelling, Single Family. A Dwelling or Dwelling Unit designed as a residence for one family

Dwelling, Two-Family: One Building that contains two Dwelling Units with independent cooking and bathroom facilities. For example, a duplex is a Dwelling, Two-Family. See Section 3.4 PROHIBITED USES

Dwelling Unit: A single unit, containing one or more rooms, that provides complete independent living facilities for one or more persons. The term "dwelling unit" includes provisions for living, sleeping, eating, food preparation and sanitation. A typical single-family home is considered one dwelling unit. Accordingly, a duplex contains two dwelling units.

Multi-Dwelling Development: A Development, regardless of form of ownership consisting of two or more Dwelling Units, including a Condominium, Resort, hotel, motel or other Dwelling intended for residential or long or short-term rental uses, all of which

are to be located on the same Lot or Condominium Plat. See Section 3.4 PROHIBITED
USES

(Renumber remaining subsections in Section 16.02(11)-(35).)

Proposed Ordinance Amendment – Storage Shed Exemption

4.26 ACCESSORY USES AND STRUCTURES

Any permanent, roofed structure, serving as an accessory use if attached to the principal building, shall be considered part of the principal structure. Accessory structures shall conform to the setback and other dimensional requirements of the zone district within which it is located. Accessory structures are not allowed on vacant property unless the Conditional Use requirements under 4.26(1), (2), or (3) can be met.

An exemption is granted for one (1) STORAGE SHED / STORAGE STRUCTURE to be allowed on vacant parcels with the following requirements:

1. Parcel must contain a minimum of 20,000 square feet of land area.
2. ~~This exemption is not allowed in platted subdivisions.~~
3. This exemption requires a Land Use Permit regardless of size and not to exceed 144 square feet of footprint area.
4. Must be less than 14' in height.
5. No habitation is allowed in these exempt structures.
6. Applicable accessory structure setbacks shall be applied.
7. A fire number/site address is required as part of this STORAGE SHED / STORAGE STRUCTURE exemption.
8. A SHIPPING CONTAINER / INTERMODAL CONTAINER in excess of 144 square feet is not allowed for this exemption.
9. Check with respective Town or County Highway Department if a driveway permit is required.

*Proposed ordinance amendment would remove language of “exemption is not allowed in platted subdivision”. This would then allow exempt storage sheds in platted subdivisions while meeting all other requirements. Line 2. would be deleted and lines below would be renumbered.

SAWYER COUNTY CODE OF ORDINANCES
CHAPTER 14 - HEALTH AND HUMAN SERVICES
ARTICLE IV- TOURIST ROOMING HOUSES AND SHORT-TERM RENTALS

AUTHORITY. This Chapter 14, Article IV – Tourist Rooming Houses and Short-Term Rentals, is adopted pursuant to the authority granted by Chapters 59, 66, 251 and 254 of the Wisconsin Statutes and shall be administered by the Sawyer County Department of Health and Human Services.

COMPLIANCE WITH STATE AND OTHER APPLICABLE LAW. This Article IV is subject to all provisions set forth in the Wisconsin Statutes and other applicable law, as each may amended. Nothing in this Article IV is intended to, and shall not be construed to, amend or otherwise modify the Sawyer County Health Officer's rights, obligations and authority set forth in the Wisconsin Statutes and other applicable law, as each may be amended.

PURPOSE AND INTENT. The purpose of this Article IV shall be to protect the health, safety, and welfare of persons and property in Sawyer County by setting forth clear standards under which a Dwelling may be used as a Tourist Rooming House or Short-Term Rental (as each are defined below). Additional purposes and intent of this Article IV are:

1. Establish minimum standards of space for human occupancy;
2. Establish minimum standards of maintenance and use of property for short term rentals and tourist rooming houses;
3. Establish responsibilities of owners, operators, and owner's agents that offer properties for short term rent to tourists or other users;
4. Protect the character and stability of persons and property in the areas surrounding properties being offered as short-term rentals or tourist rooming houses;
5. Ensure that short term rentals and tourist rooming houses do not become a nuisance or threaten the public health, safety or welfare of neighboring properties or property owners and users; and
6. Provide for the administration and enforcement of this Article IV and to provide penalties for its violation.

14-4-1. DEFINITIONS

- A. *Bedroom* means a term found in SPS 382 and 383, used to calculate residential estimated wastewater flow for POWTS. Number of bedrooms is based on two persons per bedroom, unless otherwise approved by DSPS.
- B. *Call for Service* means a call made or forwarded to the Sawyer County Sheriff or other law enforcement body with jurisdiction over the TRH Property.
- C. *County* means Sawyer County, Wisconsin.
- D. *County Health Department* means the Public Health Unit of the County Health and Human Services Department.
- E. *County Health Officer* means the County Public Health Supervisor/Officer, or the Supervisor/Officer's authorized agent or designee. When used in this Article IV, "County Health Officer" includes any duly appointed County Health Officer Designee.
- F. *County Health Officer Designee* means a subordinate personnel appointed by the County Health Officer to investigate and supervise the sanitary conditions within the jurisdiction of the Health Department.
- G. *Dwelling* means a building designed or used exclusively as the living quarters for one or more families, including manufactured homes which meet the dimensional requirements as originally designed.
- H. *License* or *TRH License* means the granting of permission in a written/certificate form from the County Health Officer to operate a Tourist Rooming House on the TRH Property, and carry on the activities permitted by this Article IV.
- I. *Licensee* means the Person to whom a TRH License is issued pursuant to this Article IV.
- J. *Lodging Marketplace* means an entity that provides a platform through which an unaffiliated third party offers to rent a Tourist Rooming House to an occupant and collects the consideration for the rental from the occupant.
- K. *Occupant* means an individual using any portion of a TRH property as a tenant or guest for overnight stays.
- L. *Operating* means the offering, operating, advertisement or rental of a TRH Property or any part thereof.
- M. *Owner* means the Person or Persons holding title to the real and personal property that makes up the TRH Property.
- N. *Owner's Agent* means the Person appointed by the Owner of a Tourist Rooming House to act as agent on behalf of the Owner.

- O. *Person* means an individual, a natural person, firm, partnership, association, company, corporation, organization, municipality, County, town, or State agency, whether tenant, owner, lessee or licensee, or the agent, receiver, heir, or assignee, or of any of these or any other group acting as a unit. Whenever the word Person is used in any section of this Article IV prescribing a penalty or forfeiture, as to partnerships or associations, the word shall include the partners or members thereof, and as to corporations, shall include the shareholders thereof.
- P. *Renter* means any Person that rents or uses any portion of a TRH Property.
- Q. *POWTS* means a private on-site wastewater treatment system.
- R. *Sale* means transfer of title by the Owner or transfer of controlling interest in an entity holding title to TRH Property.
- S. *Sanitary Permit* means a permit of record, approved by the County Zoning Department as issuing agent for the Wisconsin Department of Safety and Professional Services indicating wastewater performance capabilities of existing POWTS.

- T. *Secondary Habitable Structure* means a structure that features habitable conditions on the same parcel of land as primary structure.
- U. *Short Term Rental* means a residential dwelling that is offered for rent or fee for fewer than thirty (30) consecutive days.
- V. *Tourist Rooming House* means all lodging places and tourist cabins and cottages, including Short Term Rentals, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients. It does not include private boarding or rooming houses not accommodating tourists or transients, or bed and breakfast establishments regulated under Wis. Admin. Code Ch. ATPC 73.
- W. *Tourist Rooming House Property* or *TRH Property* means the real property on which the Tourist Rooming House sits or is located, any real property that a Renter may use as part of the rental of the Tourist Rooming House, and any personal property that is used in the operation or use of the Tourist Rooming House. TRH Property does not need to be contiguous or adjacent.

14-4-2. TOURIST ROOMING HOUSE LICENSE REQUIRED

No Person or entity shall advertise, rent or Operate a Short Term Rental or Tourist Rooming House in the County unless a TRH License has been issued by the County pursuant to this Article IV. An Owner, Licensee or other Person Operating the Tourist Rooming House shall be responsible for all requirements of this Article IV. Application for a TRH License shall be in a form prescribed by the County Public County Health Officer and be consistent with this Article IV.

14-4-3. APPLICATION FOR TRH LICENSE

- A. *Application Forms.*
 - 1. Application for a TRH License shall be made in writing to the County Health Department on forms developed and provided by the County Health Department.
 - 2. The Applicant shall comply with any requirements for application and approval required by the County Zoning and Conservation Department.
- B. *Required Information.* The applicant shall provide all of the following with the application for TRH License:
 - 1. Name of party submitting the application, and name of the Person intending to hold the TRH License (if different than the applicant).
 - 2. Name of the Owner(s). If Owner is an entity, proof of the entity's ability to conduct business in the State of Wisconsin.
 - 3. Address of TRH Property and tax ID number.

4. A copy of the State of Wisconsin Department of Agriculture, Trade and Consumer Protection License for a Tourist Rooming House issued pursuant to Wis. Stat. § 97.605.
5. The Wisconsin Department of Revenue Sales Tax Number.
6. Requested maximum occupancy
7. Copy of Sanitary Permit (if applicable) or other proof of sufficient sanitary capabilities.
8. Detailed site plan of the TRH Property, including lot lines and property map, **available onsite parking**, garbage receptacle locations, and any other information reasonably requested by the County Health Officer.
9. Designation of the Owner's Agent and contact information for the Owner's Agent, or a statement that the Owner meets the requirements of an Owner's Agent pursuant to [REDACTED] herein and agrees to perform the obligations of an Owner's Agent for the TRH Property.
10. Any other information the County Health Department deems necessary in order to make an informed determination of the application.
11. Applications for renewal TRH Licenses are not required to include the documentation for items listed in subparagraphs [REDACTED] unless the information on the renewal application has changed.

14-4-4. DECISION ON APPLICATION

- A. *Decision Time.* The County Health Officer shall either approve or deny the application within 30 days after the receipt of a complete application. The County Health Officer and applicant may mutually agree to an additional 30-day review period if circumstances require a longer review period.

Issuance. A TRH License may be issued only after compliance with the requirements of this Article IV, compliance with Sec. 14-3 of the County Ordinances, and compliance with all other applicable laws, including but not limited to issuance of the State of Wisconsin Department of Agriculture, Trade and Consumer Protection License for a Tourist Rooming House issued pursuant to Wis. Stat. § 97.605. Under no circumstances shall the County Health Officer approve an application and grant a TRH License unless all governmental approvals set forth in Sec. [REDACTED] are issued prior to or in conjunction with the TRH License.

B. Denial of Application for TRH License.

1. The County Health Officer may deny an application for a TRH License for any of the following reasons:
 - a. Applicant's and/or Owner's failure to provide any materials or information required by Sec. [REDACTED] herein.
 - b. Applicant and/or Owner's filing or providing inaccurate, false or misleading information with the TRH License application.
 - c. Information from a local law enforcement agency documenting any complaints or citations that may have been issued due to an Owner or Applicant's operation of another Tourist Rooming House in the County or in another jurisdiction.
 - d. Information that issuance of this TRH License would negatively impact the health, welfare and safety of the County, residents and visitors in the County, or other property in the County.
2. The following procedure shall be followed in the denial of any TRH License:
 - a. A decision by the County Health Officer to deny an application for a TRH License shall be in writing and shall state, with specificity, the reasons for the County Health Officer's decision and shall reference all applicable statutes, ordinances, rules, regulations or orders.
 - b. The County Health Officer shall send to the applicant a copy of the written decision as required by this Sec. [REDACTED].
 - c. Applicant or Owner may seek review of the County Health Officer's decision to deny an application for a TRH License by following requirements as set forth in Sec. [REDACTED].

14.-4-5. TERM

- A. *Term.* A TRH License shall not be prorated and shall expire annually on June 30 of each year following issuance.
- B. *Renewal of TRH License:*
 1. An Owner or Licensee may request renewal of a TRH License between May 1 and June 30 by filing a renewal request with the County Health Department.
 2. Each renewal request shall include:
 - a. Any updated information that is different from the information submitted with the original application or the most recent TRH renewal;

- b. Any additional information that the County Health Officer may reasonably request in order to make an informed determination on the renewal request;
 - c. The renewal fee, as required by this article shall be as provided through the fee schedule approved by County.
- 3. Upon receipt of the renewal request, the County Health Officer shall review the renewal request and information required therein to ensure compliance with all terms and conditions of the original TRH License and all applicable laws. The County Health Officer may contact the local law enforcement agency, the County Sheriff, and the County Zoning and Conservation Department to determine whether any complaints or citations have been issued due to the Tourist Rooming House's operation.
- 4. The County Health Officer shall issue a decision on the renewal request within thirty (30) days of receipt of the renewal request.
- C. *Change of Ownership or Transfer of Interest.* The Owner shall notify the County Health Officer of any transfer of ownership interest of any portion of the TRH Property. A TRH License is not transferable or assignable between any Persons other than immediate family members as defined in Wis. Stat. § 97.605(4)(a)(2), as may be amended

14-4-6. INSPECTION

Authorized employees of the County Health Department, upon presenting proper identification, shall have the authority and duty to enter any licensed TRH Property during regular business hours to inspect the same, with respect to a business open at least 40 hours per week. In the absence of regular business hours, inspections shall be made at any reasonable hour. In the event of an emergency, an inspection may be made at any time.

14-4-7. FEES

Fees for a TRH License application, penalties, processing charges or other fees required by this Article IV shall be as provided through the fee schedule approved by the County Health and Human Services Board and available for review in the County Health Department.

14-4-8. OWNER'S AGENT

- A. *Appointment by Owner.* Every Owner shall appoint an Owner's Agent as a local contact and authorized party to act on Owner's behalf. An Owner's Agent shall not be required if the Owner meets the requirements of an Owner's Agent set forth in this Article IV and agrees to perform the obligations of an Owner's Agent required in this Article IV. No written agreement pursuant to Sec. [REDACTED] shall be required if Owner acts as Owner's Agent.

- B. *Designation.* The Owner's Agent shall be designated by the Owner in the TRH License application. The Owner shall provide the County Health Officer written notice of any change in residence or information regarding the Owner's Agent within ten (10) days of any change in designation.
- C. *Required Qualifications.* To qualify as an Owner's Agent under this Article IV, the Owner's Agent must meet the following requirements:
1. Be a Person who can respond within a 60-minute drive (in normal conditions) to the TRH Property.
- D. *Authority.*
1. An Owner's Agent shall be authorized by the Owner to act as Owner's agent and representative in all matters involving the operation of the TRH Property, including but not limited to the following:
 - a. To act as the point of contact for any citizen or neighbor complaints.
 - b. To accept service of process for all County communications, citations, orders, and complaints.
 - c. To be authorized by the Owner to allow County employees, officers and their designees, to enter the TRH Property or any portion thereof for purposes of inspection and enforcement of this Article IV and/or any other Applicable Law.
 - d. To satisfy any obligation of the Owner required herein, including the Owner's Obligations set forth in Sec. [REDACTED].
 2. The Owner's Agent may perform, on Owner's behalf, any of the duties required in this Article IV.
 3. The Owner and Owner's Agent shall be party to a written agreement that sets forth these obligations, and a copy of the complete and current written agreement between Owner and Owner's Agent shall be provided to the County.
- E. *Contact Information.* The Owner shall provide a current telephone number for the Owner's Agent to each owner of real property within 100 feet of the perimeter of the TRH Property, in accordance with Sec. [REDACTED] herein.

14-4-9. OWNER RESPONSIBILITIES

- A. *Code of Conduct.* Owner shall provide a code of conduct, regulations and restrictions to Renters and any Person using the TRH Property that includes the relevant provisions of this Article IV, and other information to address behavioral, safety, security, and other matters, The Owner or Owner's Agent shall immediately address and correct any violation arising at the TRH Property.

- B. *Records.* Owner and Licensee shall keep records for a period of at least one (1) year as required in Wis. Admin. Code Ch. ATP 72.16 regarding each rental stay, including the name of the Renters, contact information, dates and length of stay, and the price paid for each stay. The Owner or Owner's Agent shall acknowledge and consent to inspection of records at all reasonable times and places for purposes of enforcement of this Article IV.
- C. *Lodging Marketplace Authorization.* Owner and Licensee shall authorize any Lodging Marketplace on which the TRH Property is listed to provide to the County the listings, rentals, and other information required under the County Ordinances or other applicable law.
- D. *Receipt of Notices.* Owner and Licensee shall consent to receive all County notices and citations regarding the TRH Property by electronic means or US Mail.
- E. *Notification to Neighboring Properties.*
1. Owner shall provide, by certified mail to each owner of real property within 100 feet of the perimeter of the TRH Property, the following information:
 - a. Address of the TRH Property.
 - b. TRH License number.
 - c. A copy of the regulations set forth in Sec. [REDACTED].
 - d. Current contact information for the Owner and Owner's Agent for issues arising on the TRH Property.
 2. The Owner shall provide updated information upon the change of any information required in Sec. [REDACTED] by certified mail to the owner of each real property within 100 feet of the perimeter of the TRH Property within ten days of such change.
 3. The Owner shall provide a copy upon request of all notifications to neighboring properties to the County Health Officer. Failure to provide notification to neighboring properties as required by this Sec. [REDACTED] shall be a basis upon which to terminate the TRH License.
 4. The Owner shall take reasonable measures to respond to any complaint.

14-4-10. ROOM TAX.

Every Owner and Licensee shall comply with the room tax reporting requirements of Wis. Stat. § 66.0615, as it may be amended, or as required by a local municipality with

room taxation authority over the TRH Property.

14-4-11. OCCUPANCY AND MINIMUM REQUIREMENTS.

A. Occupancy Requirements.

1. Occupancy shall comply with the size requirements set forth in Wis. Admin. Code Ch. ATCP 72.14(2)(b), as may be amended.
2. If a TRH Property does not have access to a public sewer facility, a POWTS may be used to serve the TRH Property upon approval by the County Zoning and Conservation Department. The POWTS shall be designed, constructed, and operated in accordance with Wis. Admin. Code Ch. SPS 382, 383, and ATCP 72.10(5), and any other restrictions imposed by the County Ordinances.
3. Maximum occupancy of a TRH served by a POWTS shall be limited to residential wastewater design flow calculations of two (2) Persons/Occupants per Bedroom, or any other technologies, methods, or wastewater design flow estimates approved by Wisconsin Department of Safety and Professional Services (DSPS) in accordance with SPS 382 and 383.
4. Campers, RVs, tents, yurts, or other means of shelter to increase occupancy on the TRH Property are prohibited.

14-4-12. TOURIST ROOMING HOUSE REGULATIONS. In addition to all other applicable laws, every Renter or Person using or occupying any portion of a TRH Property shall comply with the following:

- A. *Smoke Alarms and Carbon Monoxide Alarms.* Each Tourist Rooming House shall have functional smoke alarms and carbon monoxide alarms in accordance with the requirements of Wis. Admin. Code Ch. SPS 362, ATCP 72.14(c), and ATCP 72.145
- B. *Fire Extinguisher.* Each Tourist Rooming House shall provide at least one (1) fire extinguisher within the TRH Property. If the extinguisher is not readily visible, one or more signs shall be posted indicating the location of the extinguisher.
- C. *Fireworks.* Fireworks, as defined in Wis. Stat. § 167.10, as may be amended, may not be used or operated on a TRH Property at any time.
- D. *Pets.* Any Renter or Person using or occupying the TRH Property shall comply with all provisions of the County Ordinance No. 4-2-10 and 4-2-11 relating to control of animals. Renters or any other Person using the TRH Property shall maintain control of pets at all times.

- E. *Minimum Parking Requirements.* All guest parking must be contained on TRH property or meet other local parking regulations for public parking shall be complied with. Parking may only occur in areas designated on the site plan submitted as part of the TRH License application.
- F. *Ingress and Egress.* Each Tourist Rooming House shall provide a safe, unobstructed means of egress leading to safe, open space at ground level as defined in SPS 321.03.
- G. *Secondary Habitable Structures.* Structures will not be allowed for overnight sleeping accommodation unless permitted as such by the Sawyer County Zoning and Conservation Department and meets all other licensing requirements.

14-4-13. ENFORCEMENT AND VIOLATIONS.

- A. *Enforcement.* The provisions of this Article IV shall be enforced by the County Health Officer, the County Zoning and Conservation Department, or an appropriate law enforcement body, and each may issue citations for any violations of this Article IV pursuant to Sec. 1-2-3 and Sec. 1-2-4 of the County Ordinances, as may be amended.
- B. *Notice of Violation to Owner and Licensee.* Notice of any violation of the Article IV or other applicable law that is issued to a Person using the TRH Property shall also be delivered to the Owner and Licensee, at the Owner and Licensee's expense.
- C. *Owner Obligations.* An Owner shall be responsible for the conduct of each Person using the TRH Property.

Penalties. The following penalties shall be assessed for violations of this Article IV:

1. Any Licensee or Person who operates any establishment, business, or other operation without a valid License required under this article shall be subject to any applicable fees, penalties and processing charges, including, but not limited to, a fee for operating without a License for each day in which the Licensee or Person operates without the required License. Fees, penalties and processing charges shall be determined by the County Health and Human Services Board and may be amended from time to time.
 2. In addition to forfeitures listed above, any violation of a provision of this Article IV may result in the suspension or termination of the TRH License.
 3. Penalties set forth in this section shall be in addition to all other remedies of injunction, abatement, or costs whether existing under this Article IV or otherwise.
- E. *Other Remedies for any Violation of Applicable Laws.* Nothing in this Article IV shall be construed as prohibiting enforcement of any other applicable law, including but not limited to County Ordinances for public nuisance, public health hazards, or disorderly conduct.

- F. *Calls for Service.* If three Calls for Service are received and verified by (affidavit) the County for any TRH Property within one month, the County Health Officer may initially suspend the TRH License for a period of not more than 35 days during which time the County Health Officer shall determine whether corrective action is needed, whether to commence suspension or revocation proceedings pursuant to Sec. _____, or the TRH License may be reinstated without further action. Five or more Calls for Service within one calendar year may result in the revocation of the TRH License.

14-4-14. DENIAL, SUSPENSION OR REVOCATION OF TOURIST ROOMING HOUSE LICENSE.

- A. *Authority.* The Health Officer may deny any TRH License application or suspend or revoke any TRH License issued under this Article IV for noncompliance with this Article IV or noncompliance with any other State or local statute, ordinance, rule, regulation, order, or other applicable requirement. All time sensitive mailings, on the part of the Health Department, will be done through the United States Postal Service Certified Mail Return Receipt Requested mail service or personally with signature of delivery.
- B. *Procedures.* The following procedure shall be followed in the denial, suspension or revocation of any License issued under this Article IV:
1. A decision by the County Health Officer to deny, suspend or revoke a TRH License shall be in writing and shall state, with specificity, the reasons for the County Health Officer's decision and shall state any and all applicable statutes, ordinances, rules, regulations or orders which may have been violated. The County Health Officer shall send to the TRH Licensee a copy of the written decision as required by this Article IV. Said notice shall inform the Licensee or applicant of the right to have the decision reviewed and a summary of the procedure for such review required by this Article IV.
 2. A TRH Licensee aggrieved by a decision of the County Health Officer to deny, suspend or revoke a TRH License must send a written Request for Review and Reconsideration to the County Health Officer within ten (10) working days of receipt of the notice of the County Health Officer's decision. The Request for Review and Reconsideration shall state the grounds upon which the Person or Licensee aggrieved contends that the decision should be reversed or modified.
 3. Within ten (10) working days of receipt of the Request for Review and Reconsideration, the County Health Officer shall review its initial determination. The County Health Officer may affirm, reverse or modify the initial determination. The County Health Officer shall mail or deliver to the TRH Licensee or applicant a copy of the County Health Officer's decision on review, and shall state the reasons for such decision. The decision shall advise the TRH Licensee or applicant of the right to appeal the decision by filing a notice of appeal, the time within which

appeal shall be taken and the office or person with whom notice of appeal shall be filed.

4. A TRH Licensee or applicant who wishes to appeal a decision made by the County Health Officer on review must file a notice of appeal within ten days of receipt of the County Health Officer's decision on review. The notice of appeal shall be filed or mailed to the County Health Officer. The County Health Officer shall immediately file said notice of appeal with the County Health and Human Services Board.
5. A TRH Licensee or applicant shall be provided a hearing on appeal within 30 days of receipt of the notice of appeal. The County Health Officer shall serve the TRH Licensee or applicant with notice of hearing by mail or personal service at least five days before the hearing.
6. The hearing shall be conducted before the County Health and Human Services Board and shall be conducted in accordance with the procedures outlined in Wis. Stats. § 68.11(2) and (3).
7. Within 15 days of the hearing, the County Health and Human Services Board shall mail or deliver to the TRH Licensee or applicant the County Health and Human Services Board's written determination stating the reasons for its decision.

14-4-15. EFFECTIVE DATE.

This Article IV shall be effective upon passage and publication as provided by law.