

**TOWN OF BASS LAKE  
SAWYER COUNTY  
PLANNING COMMITTEE & BOARD OF SUPERVISORS  
Thursday, December 3, 2009  
MINUTES**

Chairperson, Mark Olson, called the meeting to order at 6:31 PM. Members present: Chairperson Mark Olson, Secretary Sarah “Linn” Newton, Brian Bisonette, Martha DeLong, Steve Friendshuh, Dan Grothe, Mark Lastrup and Phil Nies.

Town Clerk Henk affirmed the agenda was posted in compliance with the open meetings law.

Motion by DeLong, seconded by Friendshuh to approve the agenda with the addition under Zoning; 2.) Proposed Text Amendment to Sawyer County Zoning Ordinance –Section 4.23 Access Driveways. Motion carried.

The minutes of the September 3, 2009 meeting were presented to the committee. Motion by Grothe, seconded by Friendshuh to approve minutes. Motion carried.

Chairperson Olson introduced newest member and the LCO Tribal Representative, Brian Bisonette, and he took his oath.

Olson reported the Northwest Regional Planning Commission is having a public meeting regarding the Sawyer County Comprehensive Plan at 7:00 p.m. on December 16<sup>th</sup>, 2009 at the Bass Lake Town Hall. (Enter meeting-Linn Newton.)

**ZONING:**

- 1.) Variance Application- James & Linda (Kremer) Reed has applied for an after-the-fact variance for the construction of an approximately 504 square feet addition connecting an existing dwelling to an existing detached garage. The resultant total footprint of the existing structures and the addition is approximately 2,588 square feet. Approximate setbacks to the ordinary high water mark of Durphee Lake are: Dwelling-53’ and Addition-81’. Variance is requested as Section 4.421(2)(b), Sawyer County Zoning Ordinance, would require that the total footprint, to include the existing structures (dwelling and garage) and the connecting addition, not exceed 1,500 square feet. Two letters received from zoning with no objections. Applicant, Linda (Kremer) Reed present. Lengthy discussion followed. Motion by Newton, seconded by Grothe to deny. All in favor; Olson, Newton, Bisonette, Grothe. All opposed; Friendshuh and DeLong. Abstained; Lastrup. Motion carried. Finding of Fact: The variance would be contrary to the public interest and would not be in compliance with the spirit and intent of the zoning ordinance and the Town of Bass Lake’s Comprehensive Plan (Section 8.10) because; it would be for the convenience of the owner, it would be a self-created hardship, it would be damaging to the rights of others or property values and it would not be due to special conditions unique to the property. Requirements for a variance: A.) Unique Property Limitations: There is no unique property limitations resulting in unnecessary hardship presented that justify granting the requested variance. The lot is a conforming parcel that is not shallow and does not have steep slopes or safety issues. A dwelling can be constructed on this property and be in compliance with the Sawyer County Zoning Ordinance. B.) No Harm To Public Interests: The existing dwelling located 53’ from the ordinary high water mark

(OHWM) is already “non-conforming”, as current zoning requires structures to be located 75’ from the OHWM. Granting of the variance would be contrary to the public interest by allowing a current non-conforming structure to be modified even further, thus increasing the non-conformity of the structure and further increasing the detrimental effects on water quality, shore lands, aquatic life and natural scenic beauty. C.) Unnecessary Hardship: In the case of shoreland zoning ordinances, “unnecessary hardship” is defined as when an applicant has demonstrated that he or she would have no reasonable use of the property in the absence of a variance. The owner currently has reasonable use of the property with the existing structures (the dwelling and the garage) as structures have been in place and used for numerous years.

- 2.) Proposed Text Amendment to Sawyer County Zoning Ordinance –Section 4.23 Access Driveways: Deletes access driveway requirements from the County Zoning Ordinance. Clerk Henk read proposed amendment. Nies reported that the Town of Bass Lake already has a Driveway Ordinance in place; therefore the amendment would basically just eliminate the \$350.00 fee to county for any variance, as the Towns are the governmental unit that already issues the required driveway permits on Town roads. Motion by Friendshuh, seconded by Laustrup to recommend approving the proposed text amendment to delete access driveway requirements from the County Zoning Ordinance. Vote unanimous. Motion carried.

#### **OLD BUSINESS:**

- 1.) Nies reported the grills for the Town Hall Park Pavilion have arrived and will be installed in the spring.
- 2.) Nies stated the Sawyer County Land Division Ordinance was passed after two years of work, a citizen’s committee has been formed to present recommendations for septic systems to County and County has put the Sign Ordinance back on the table. He further reported the chicken ordinance recommendations from Towns are going back to County and he has asked that if it was approved, for it to be amended to allow Towns the right to annually review and possibly choose a different option at that time

#### **NEW BUSINESS:**

- 1.) Discussion followed regarding getting estimates for cost to construct BBQ Pit behind Town Hall. Place on next month’s agenda so committee can continue to work out details and complete in 2010.
- 2.) Discussion followed regarding Town Hall Park. Nies suggested a split rail fence be put up along asphalt parking/grassy park area to restrict people from driving over the Town Hall septic and to keep vehicles off the grass. Discussion followed regarding playground equipment and costs. McCue reported he installed the signboard at the small boat landing on LCO Drive.

Motion by Newton, seconded by Laustrup to adjourn meeting at 7:55 P.M. Motion carried.

/s/ Dawn Henk, Clerk  
Town of Bass Lake, Sawyer County