

**TOWN OF BASS LAKE
SAWYER COUNTY
PLANNING COMMITTEE & BOARD OF SUPERVISORS
Thursday, April 1, 2021**

MINUTES

Town Board Chairman Justin Hall called the meeting to order at 6:30 pm. The meeting was held in person and virtually using Zoom. Members Present: Dick Theis, Bond Sutton, Tony Pfendt, Dave Aubart, and Clerk Erica Warshawsky. Members Absent: Dan Tyrolt.

Hall announced the resignations of Mark Olson, Phil Nies and Mark Lastrup. Hall thanked them for a job well done. Hall asked the Planning Committee for nominations for Planning Committee Chairman. Motion by Pfendt, seconded by Theis to elect Sutton as Planning Committee Chairman. Motion carried. Hall offered to continue to chair the meeting. Sutton accepted the offer.

Warshawsky affirmed agenda was posted in compliance with open meetings law.

Motion by Theis, seconded by Sutton to approve the agenda. Motion carried.

Motion by Sutton, seconded by Pfendt to approve the Minutes of the March 4, 2021 Regular Meeting. Motion carried.

Hall presented correspondence. Hall reported that correspondence was received from Sawyer County Zoning and Conservation approving the Special Event Application #21-001 for Scott Poppe.

Hall presented Conditional Use Application #21-004 for Darlene and Michael Friend. The application is for an accessory building across a Town road from the dwelling. The County sent 17 letters. 1 letter was returned with no objection. Mike Friend presented his application. Friend stated that the accessory building is for storage only. Friend explained that the parcel containing the dwelling cannot Conditional Use Permit. Motion carried. Sutton abstained.

Findings of Fact:

1. It would not be damaging to the rights of others or property values because there are no neighbors.
2. It would not create traffic or highway access problems. A driveway permit was approved.
3. It would be compatible with the surrounding uses and the area which is residential.
4. It would not create an objectionable view since it will be a new building in a compatible area.

Hall presented the amendment to the Sawyer County Zoning Ordinance Section 6.6 Trailer Camps and Campgrounds. Hall reviewed the changes and asked Phil Nies if he had anything to add. Nies explained that the reason the acreage was increased is because the definition of camping has changed. Camping used to mean tent camping. Decks on campers is also being addressed. Nies reported that what is on the ground currently will be grand fathered. Other counties are allowing 240 square feet. If this amendment does not get passed, there will be a whole lot of removal orders. Discussion followed. Motion by Sutton, seconded by Pfendt to approve the amendment. Motion carried.

Hall presented Variance Application #21-002 for Charles and Tracey Gundersen. The variance is for the after the fact construction of a 12' x 15' addition 4' from the side lot line. The County sent 3 letters, 0 were returned. Chuck Gundersen presented his application. Gundersen explained that he purchased a 3-season cabin and wanted to winterize the cabin. He applied for a permit and did not update the permit for the bedroom. He did not order a survey and thought they were within the property lines. It wasn't until the new neighbors ordered a survey did they learn they were 4' from the property line. Gundersen reported that although there is not

documentation, Sawyer County Zoning Administrator Bill Chrisman approved the bedroom and never updated the permit. Hall responded that Chrisman would not allow a structure 4' from the lot line. Discussion followed. Hall instructed the Planning Committee to forget this is an after the fact variance application and imagine that it is 2005 and this application has just been presented. Hall suggested that Gunderson could construct the addition in another direction. Sutton suggested adding a second floor. Hall asked the audience if anyone would like to speak in favor or against. Edmond Packee stated that he is opposed for the following reasons:

1. Ignorance is no excuse for doing something.
2. If the variance is granted, what's to stop someone from doing the same thing?

Thomas Whitt stated that the purpose of a variance is to make an exception to the rule and the neighbor is 54' away. Hall replied that it doesn't matter.

Hall asked if this would be allowed in 2005. Nies stated that in all previous instances the Town has not allowed setbacks and has made people cut off portions of their deck or even move their house to become compliant. Nies said the question is "What is the Town willing to accept?". Discussion followed. Hall asked the committee if they would allow a 4' set back. Pfendt answered 'no'. Motion by Pfendt, seconded by Sutton to deny the variance application. Motion carried.

Findings of Fact:

1. It does not meet the 3-step test.
2. It would be for the convenience of the owner who failed to comply with Sawyer County Zoning side yard setbacks as shown on the Application for Land Use Permit #05-092 in 2005.
3. It would be a self-created hardship caused by not complying with Sawyer County Zoning regulations.
4. It would be damaging to the rights of others or property values because it is infringing on the property to the West.
5. It is not in the public interest.

Henks Park Interpretive Nature Trail – Mike Heim will be invited to the next meeting to discuss the project.

Hall asked for any suggestions for possible Planning Committee members. Mike Friend said that he would like to join.

Any Other Business: Packee suggested presenting properties in an old-fashioned way by including the address.

Motion by Sutton, seconded by Theis to adjourn at 7:13 pm. Motion carried.