

**MINUTES**  
**Bayfield County Planning / Zoning Committee Public Hearing / Meeting**  
**August 16, 2007**  
**Board Room, County Courthouse, Washburn, WI 54891**

1. **CALL TO ORDER OF PUBLIC HEARING:** *By Chairman Beeksma at 1:01 PM.*

2. **ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

3. **AFFIDAVIT OF PUBLICATION:** *Read by ZA Kastroosky*

4. **REVIEW OF MEETING FORMAT:** *By Chairman Beeksma.*

**5. PUBLIC HEARING:**

**A. TERRANCE PETERS REZONE REQUEST (F-1 to R-3)** on his 78.24-acre parcel located in part of the SW ¼ of the NE ¼ (#008-1038-04); part of the NE ¼ of the NW ¼ (part of 008-1038-07), part of the SE ¼ of the NW ¼ (part of 008-1038-10); part of the NE ¼ of the SW ¼ (part of 008-1039-01); and part of Gov't Lot 2 (008-1039-05); all in Section 33, Township 50 N, Range 4 W, Town of Bayview.

*Director Kastroosky read a letter from Terrance Peters withdrawing this request as the Town of Bayview did not approve; Peters intends to reapply for rezone to R-2 at the September meeting.*

**6. ADJOURNMENT OF PUBLIC HEARING:** *Motion by Jardine, second by Rondeau to adjourn the public hearing at 1:03 PM; carried 5 yes / 0 no.*

7. **CALL TO ORDER OF ZONING COMMITTEE MEETING:** *By Chairman Beeksma at 1:03 PM.*

8. **ROLL CALL:** *Beeksma, Jardine, Maki, Miller, Rondeau, all present.*

9. **MINUTES OF PREVIOUS MEETING(S):** *Motion by Rondeau, second by Miller, to approve the July 26, 2007 minutes as prepared. Carried 5 yes / 0 no.*

**10. BUSINESS:**

**A. TERRANCE PETERS REZONE REQUEST (F-1 to R-3)** on his 78.24-acre parcel located in part of the SW ¼ of the NE ¼ (#008-1038-04); part of the NE ¼ of the NW ¼ (part of 008-1038-07), part of the SE ¼ of the NW ¼ (part of 008-1038-10); part of the NE ¼ of the SW ¼ (part of 008-1039-01); and part of Gov't Lot 2 (008-1039-05); all in Section 33, Township 50 N, Range 4 W, Town of Bayview.

*Withdrawn, as stated above..*

**AGENDA REVIEW / ALTERATION**

**B. KEN / JODY HIGGINS – SPECIAL USE REQUEST – Dog Kennel (39 dogs)** located on a 10-acre parcel (#038 1034 07) in the SW ¼ of the SE ¼ of the SW ¼ Section 17, Township 48 N, Range 9 W, Town of Oulu.

*Ken & Jody Higgins said they are only recreational mushers, this kennel is for rescued, abandoned dogs only; they do not breed dogs; Special Olympics uses some of their older dogs for athletes' competition; they currently have 29 dogs; there is approximately ten acres between them and a church (Hope Lutheran).*

Beeksma noted he attended the Town meeting and no complaints or problems were presented. Kastrosky said the Town approved this request; the file contains an opposition email from Delores Pananen (dated 8/1/07). Beeksma then proposed a possible condition of no breeding or selling of dogs and noted problems tend to come more from young dogs. Kastrosky said breeding is not allowed with this permit as that is a separate issue. The Higgins' stated again that they do not wish to breed dogs.

Motion by Jardine, seconded by Rondeau to **approve**. Discussion followed and Jardine **amended his motion to limit approval to the current owners (Ken / Jody Higgins) only** (permit will not be automatically transfer to future owners); Rondeau seconded the amendment; motion carried 5 yes / 0 no.

**C. PATRICK WILKINSON** (\* Note: agenda incorrectly listed name as 'Paul' Wilkinson) **SPECIAL USE REQUEST – Private Garage in Commercial Zoning District** on 39-acre parcel (#004 1218 05) in the NW ¼ of the NW ¼ Section 34, Township 45 N, Range 9 W, Town of Barnes.

\* Correction of name was noted.

Applicant was not present; Kastrosky gave the file report; Town approval was received; there was no opposition or support presented at, nor received prior, to the meeting.

Motion by Miller, second by Maki, to **approve** this special use request for a private garage in a commercial zone; carried 5 yes / 0 no.

**D. JERRY THOMPSON SPECIAL USE REQUEST – Second Residence on a Parcel (that cannot be subdivided)** located on a .75-acre parcel (#004 12630 03) in Govt. Lot 5, Lot 4, Block 1, Unit 2 of Phillips-Emerson Condo - Eau Claire Lake Park Subdivision, Section 9, Township 44 N, Range 9 W, Town of Barnes.

Jerry Thompson reported the property is in condominium ownership, the parcel cannot be subdivided and they desire to tear down an existing cabin and rebuild larger. Kastrosky explained reasons this permit is necessary and noted Town Board and Town Planning Committee approval.

Motion by Maki, second by Jardine to **approve**; carried 5 yes / 0 no.

**E. KURT BRANDT SPECIAL USE REQUEST – Residential Garage in a Commercial Zoning District** on 5.31-acre parcel (#021 1182 01) located in Govt Lots 1 & 2, Lot 9, Trapper's Lake Subdivision, Section 27, Township 44 N, Range 6 W, Town of Grand View.

Director Kastrosky reported Town Board approval was on file. Motion by Rondeau, seconded by Maki to **approve**. Discussion: Kastrosky noted this property is along Hwy. D and has a section of 'Commercial'. Motion carried 5 yes / 0 no.

**F. PORT SUPERIOR MARINA ASSOCIATION SPECIAL USE REQUEST – Boat Storage in R-RB Zoning District** (tabled from 6/21/07).

Mike Burg addressed the Committee. Kastrosky noted it was tabled due to no Town input. Motion by Maki, second by Rondeau, to **approve**; no further discussion; carried 5 yes / 0 no.

#### **G. CITIZENS' CONCERNS / INPUT:**

- Supervisor Maki brought up the time change for Zoning meetings. He questioned why the agreement they made for 1 PM and 4 PM meeting times [varying during specific months of the year] was changed. Beeksma, Rondeau, and Jardine gave reasons they changed it and Maki said he was opposed to the fact that a set agreement was not honored. Miller also was concerned over the fact the time was changed when he and Maki were absent. Maki stated they are there to serve the public, not just convenience themselves and believed 6 PM was a better

time for the public. The Committee noted various times of day / evening other [county] committee meetings are held. Beeksmas stated that indeed an agreement had been made; **the Committee then said they would abide by the original schedule [October through March 1:00 PM; April through September 4:00 PM].**

#### H. DISCUSSION / POSSIBLE ACTION – NR115 RE-WRITE UPDATE:

- *Kastrovsky reported on a meeting he attended (in Rice Lake) where 20 were in opposition and 10 in support; he does not believe an agreement will be reached; the Natural Resources Board will cast an official vote and there is a possibility it may be referred to the legislature.*

#### I. DISCUSSION / POSSIBLE ACTION – ESTABLISHMENT OF COMPREHENSIVE LAND USE PLANNING COMMITTEE:

- *Kastrovsky said by law this is to be set up with a deadline of 2010. A meeting was held for all Towns' associations, cities and villages, to see who wants to participate; 16 townships were represented at the meeting.*

#### J. OTHER ITEMS THAT MAY COME BEFORE THE COMMITTEE (discussion only):

- **Ewer Property:** *Maki asked about the Ewer property and Kastrovsky said it should be coming before the Committee in September.*
- **Board Room Set-Up:** *Rondeau suggested with the new set-up it would be helpful if two Committee Members were on each side of the front / center table where the chairman and director are now seated rather than all four on one side.*
- **A Flood Plain Issue in Port Wing:** *Kastrovsky stated the Fire Chief would not sign off on papers; because of this unwillingness, he and Bob Mick spent half a day setting elevations and establishing a comfort level for all to make an educated decision relative to flooding. After this was done, the Fire Chief signed off.*
- **Erosion Problems - Lot for Sale Hwy 13 North** (towards Bayfield): *Kastrovsky said he and Travis visited a site on Lake Superior with severe bank erosion problems. The ordinance allows the lot to be built upon, however, they are not comfortable with the level of erosion there. Kastrovsky said he is not sure how to handle this and questioned if there is a way the County can be certain it's views / determination is stated. Kastrovsky will confer with Bill Bussey if a storm management plan can be required or other clauses be formulated so the County is not responsible in any way.*

**11. MONTHLY REPORT:** *Motion by Rondeau, second by Miller, to **approve** the July report; carried 5 Yes / 0 no.*

**12. ADJOURNMENT:** *Motion by Jardine, second by Maki, to adjourn at 1:51 PM; carried.*

**Karl L. Kastrovsky, Planning / Zoning Director  
Bayfield County Planning / Zoning Dept.**

Prepared by MJJ on 8/20/07  
Approved by KKK on 9/4/07

cc: Administrator; Clerk; Corp.Counsel; DNR; Committee; Supervisors

K/ZC/Minutes/2007/August.