

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
715-373-6161
FAX 715-373-6148

This meeting may have members participating via tele or web conferencing. Public participants can listen to the proceedings by utilizing a computer or smart phone and using the link <https://us02web.zoom.us/j/85193305418?pwd=KzJ3WGpaNyt3WkVJZkhHQUdmMv82QT09> and entering passcode 944175 or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 851 9330 5418 and entering passcode 944175 as opposed to being present for the meeting. Limited seating will be available at the meeting and guests are asked to keep a six-foot distance from one another.

NOTICE OF PLAN COMMISSION MEETING

DATE: Thursday, February 18, 2021
TIME: 5:30P.M
PLACE: Washburn City Hall

AGENDA:

- Call to Order/Roll Call
- Approval of Minutes of February 11, 2021 Meeting
- Public Hearing
 - Discussion & Recommendation on Zoning Ordinance Amendment to Allow Up to Two Garages in the R-2 District – Brian and Josie Fleig, Petitioners
 - Discussion & Recommendation on Conditional Use Permit Request for a Tourist Rooming House at 1 W. 3rd Street – Mand Properties LLC, Petitioner
 - Discussion & Recommendation on Conditional Use Permit Request for Seasonal Residential Use of a Portion of Structure in the C-2 District at 406 W. Bayfield St. – Susan Lince and John Hopkins, Petitioners
- Discussion and Action on Special Exception Request to Enlarge a Non-Conforming Structure, 410 2nd Ave. E-Erin Tenney & Tonny Jennings Petitioner
- Follow-Up Discussion with Jason Laumann of NWRPC on Comprehensive Plan Revision Interactive Issues Exercise
- Adjourn

January 21, 2021

CITY OF WASHBURN PLAN COMMISSION MEETING

5:30PM Washburn City Hall & Remote Video Conferencing

COMMISSION MEMBERS: Dave Anderson, Leo Ketchum-Fish, Mary Motiff, Adeline Swiston, Matt Simoneau, Britt Serrine

ABSENT: John Baregi

MUNICIPAL PERSONNEL: Scott Kluver City Administrator, Tammy DeMars City Treasurer/Deputy Clerk

Meeting called to order at 5:30pm by Motiff attendance as recorded.

Approval of Minutes – December 17, 2020 – Moved by Swiston to approve the minutes of December 17, 2020 second by Anderson. Motion carried with Ketchum-Fish abstaining as he did not attend the last meeting.

Discussion & Action on Architectural and Downtown Design Review for Covered Deck at Karlyn Yellowbird Gallery, 318 W. Bayfield Street – Ron Piercy, Petitioner – Mr. Piercy is proposing to place a 12' x 16' ground level, covered deck on the east side of the building made pressure treated wood. Review of the General Architectural standards; 1) Not applicable as this is a deck not the main structure 2) thru 7) Not applicable, 8) the material is Pressure Treated Wood, 9) thru 11) Not applicable. Review of the Downtown Standards; 1) No change in the main structure is occurring. 2) & 3) N/A, 4) No change to vertical rhythms, 5) This structure will have a pointed roof and will require a façade to create the boomtown look (Discussion on roof rakes on accessory structures will be held at a future meeting), 6) N/A, 7) Materials will be pressure treated wood. Conditions to be listed is the deck must be ADA compliant and the rake of the roof needs a façade. **Moved by Anderson to approve the architectural design with the conditions a façade is required on the roof rake and it must be ADA compliant, second by Ketchum-Fish. Motion carried unanimously.**

Discussion & Action on Site Plan, Architectural, and Downtown Design Review for 211 W. Bayfield Street – David Sneed, Petitioner – Proposed project is to make exterior modifications and improvements to the existing structure including removal of Mansard roof/awning, replacement of siding and windows, reconfigure restroom access. Review of the General Architectural Standards 1) The front exterior will have glass panel windows; however, it will not cover 50% of the street face. The remaining portion of the street face will be wood, and the Plan Commission finds this to be acceptable materials, 2) N/A, 3) This is a existing structure that has a side entrance; however the design of the side of the building which is largely visible from Bayfield Street and adjacent to the existing parking will be of similar design and materials as the front of the building, 4) The Plan Commission finds that the design complies with this requirement, 5) The design complies with this requirement 6) thru 11) N/A. Downtown Standards reviewed; 1) Height is not an issue, 2) N/A, 3) Horizontal rhythms have been met, 4) Vertical Rhythms have been meet 5) Roof forms have been met with the removal of the existing Mansard, 6) N/A, 7) Building materials are met with the use of wood siding. The proposed use of the property at this time is office space, Mr. Sneed made note that the interior plumbing and design will be done so that in the future is someone would like to turn it back into a retail type business it can easily be done. The parking and light plan was reviewed.

Moved by Anderson to approve the architectural review and site plan of David Sneed, with light trespass to be in compliant with the code, second by Swiston. Motion carried unanimously.

Discussion with Jason Laumann of NWRPC on Comprehensive Plan Re-Write Process and Action Interactive Issues Exercise – Mr. Laumann gave a kick off update on the re-write process with the proposed timeline. Next meeting with Mr. Laumann will be held on February 11th at 5:30pm.

Conceptual Discussion & Action on Architectural Standard for Overhead Doors – Discussion held; no action taken at this time.

Adjourn – Moved by Swiston to adjourn, 2nd by Anderson. Motion carried unanimously. Motiff adjourns the meeting at 7:40pm

Respectfully Submitted,
Tammy L. DeMars
Treasurer/Deputy Clerk

**CITY OF WASHBURN
NOTICE OF PUBLIC HEARING
ZONING ORDINANCE AMENDMENT**

Public Hearing will be held at the regularly scheduled Plan Commission Meeting, Thursday, February 18, 2021, at 5:30 P.M., at City Hall, 119 Washington Avenue, for public comment on the following issue:

Zoning Code Amendment:

For the purpose of amending the City's Zoning Code to allow up to two garages in the R-2 (Single-Family Residential) District – Brian and Josie Fleig, 210 Woodland Drive, Petitioner

Further details on the proposed amendment may be obtained by calling 715-373-6160 ext. 4 or e-mailing washburnadmin@cityofwashburn.org . City Hall will have open hours starting on February 2nd.

Scott J. Kluver
Zoning Administrator

Block Ad January 29 and February 5, 2021 – Daily Press

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
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FAX 715-373-6148

To: Plan Commission Members
From: Scott J. Kluver, ^{SK}Administrator
Re: Zoning Ordinance Request – Two Garages in R-2
Date: February 10, 2021

Enclosed you will find a zoning ordinance amendment request from Brian and Josie Fleig to increase the allowable number of garages from one to two in the R-2 Single Family Residential District. They desire to have an additional garage, as they currently have an attached garage for one car. However, the issue really is are multiple garages appropriate for the R-2 District?

The issue of garages and accessory structures has been debated over the years. Multiple garages were allowed in more places under the old code; however, for reasons I do not recall, there was an effort to restrict the number of garages when the new code was adopted. Currently, the only district where two garages are allowed is in the R-1 district. Lots in the R-1 district are quite large, yet lots in the R-2 district are still relatively large compared to the R-6 district. I believe that many lots in the R-2 would be able to accommodate a second garage without much detriment. There are lot coverage restrictions that still are in place to make sure there is still significant open space.

This is a common request/issue that we face, and in my opinion, there is currently a strong demand for more flexibility and allowance on the garage/accessory structure issue. Nonetheless, the Plan Commission should consider the factors listed in zoning code 7-5 (a) which I have attached in making their recommendation. I have no objections to this request, nor do I see any conflict with those provisions. Please let me know if you have any questions.

CITY OF WASHBURN
Ordinance No. 21-003

An ordinance adopted by the Common Council for the City of Washburn at its regular meeting of _____, 2021, for the purpose of amending the City's Zoning Code to allow up to two garages in the R-2 (Single Family Residential) District. Additions are in *red italics*, deletions are in ~~strikeout~~.

1. Amend Chapter 13, Appendix B as follows:

Appendix B:

Zoning District	***	Maximum number of accessory buildings [6]
Single-Family Residential (R-2)	***	1 2 <i>garages</i> attached or detached, garage , plus 2 yard sheds

2. Effective Date of Ordinance. This ordinance shall take effect upon passage and publication.

Attest:

Mary D. Motiff
Mayor

Scott J. Kluver
City Clerk

Adopted: _____

Published: _____

CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 30753

Date: 1/20/2021

Check

RECEIVED FROM BRIAN FLEIG

\$200.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS TEXT AMENDMENT APPLICATION B. FLEIG	200.00
<hr/>		
TOTAL RECEIVED		200.00



Zoning Code Amendment
City of Washburn

Version: May 25, 2017

WASHBURN CITY HALL
119 Washington Avenue
Washburn, WI 54891

Overview: The Common Council adopted the City's zoning code, which consists of text and a zoning map. Both of these can be amended using this application form.

Governing regulations: The procedures and standards governing the review of this application are found in Article 7 of the City's zoning code.

General instructions: Complete this application and submit one copy to the City Clerk at the mailing address shown above. Before you formally submit your application, you may meet with the City Administrator who can answer any questions you may have. You may also ask the City Administrator to review your application before it is formally submitted to determine if it is complete and provides enough information to describe the circumstances related to this application. If you have any questions, do not hesitate to contact the City Administrator at (715) 373-6160 ext 4 or via e-mail at washburnadmin@cityofwashburn.com

Office Use Only
Date Received: 1/30/2021 Received By: Fee Paid: \$200.00

1. Applicant and agent information include the names of the agent, if any, that helped prepare this application including the supplemental information. Examples include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Table with 2 columns: Applicant and Agent. Rows include Name, Street address, City, state, zip code, Daytime telephone, and E-mail address.

2. Type of proposed amendment (check one or both)

- Map amendment Complete Part A and C
Text amendment Complete Part B and C

Part A. Questions Related to Map Amendment

3. Subject property information

Physical address 210 Woodland Drive, Washburn WI 54891
Tax key number(s) 04-291-2-49-04-32-2-04-32-2 04-000-02000

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the City Clerk.

Is the subject property currently in violation of the City's Zoning Code as determined by the zoning administrator?

- No
Yes

If yes, please explain.

Empty box for explanation of zoning code violation.

Comment: Pursuant to Section 6-10 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land that is in violation of the zoning code, except to correct the violation or as may be required by state law.

Are there any unpaid taxes, assessments, or other required payment that are specifically related to the subject property?

- No
Yes

If yes, please explain.

Comment: Pursuant to Section 6-11 of the City's zoning code, the City may not issue a permit or other approval that would benefit a parcel of land where taxes, assessments, or other required payments are delinquent and due.

4. Zoning information

The subject property is located in the following zoning district(s). (check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> R-1 Rural residential | <input type="checkbox"/> C-1 Cottage commercial | <input type="checkbox"/> MUW Mixed-use waterfront |
| <input checked="" type="checkbox"/> R-2 Suburban residential | <input type="checkbox"/> C-2 General commercial | <input type="checkbox"/> L-1 Lakefront Residential |
| <input type="checkbox"/> R-6 Mixed residential | <input type="checkbox"/> C-3 Downtown commercial | <input type="checkbox"/> M Marina |
| <input type="checkbox"/> R-7 Waterfront residential | | <input type="checkbox"/> I Industrial |

Proposed zoning classification(s)

Comment: If the proposed amendment includes more than one parcel of land or if the parcel is to have more than one zoning classification, attach a map (8½ x 11) that shows the location of the proposed zoning classifications.

5. Proposed map amendment. Select the general reason(s) why you believe the zoning classification should be changed and provide additional details.

- The zoning designation should be brought into conformity with the City's comprehensive plan.

- A mapping error was made on the official zoning map.

- Other

6. Consistency with zoning requirements

Are there any buildings on the subject property?

- No
- Yes

If yes, please describe each and state whether it is consistent with the proposed zoning classification.

- 1.
- 2.
- 3.
- 4.

Are there any existing land uses on the subject property?

- No – Land is vacant / undeveloped
- Yes

If yes, please describe each, including conditional uses, and state whether it is consistent with the proposed zoning classification.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Does the size of the subject property comply with the minimum lot size of the proposed zoning district?

- No
- Yes

If no, describe why you believe the map amendment should be made in spite of this.

Has the City approved a variance or special exception for the subject property?

- No
- Yes

If yes, provide the year of issuance and a short description of each one.

- 1.
- 2.
- 3.
- 4.

Part B. Questions Related to Text Amendment

7. **Proposed text amendment.** For each proposed text amendment, identify the section number (e.g., 7-444) to be revised and describe the proposed change and the reason(s) why you believe the change should be made.

Section number	Proposed change	Justification
1. R2	Allow additional garage on lots	Our two lots are generally larger and would be able to reasonably accommodate an extra garage without any detrimental effect. Why not allow it?
2.		
3.		
4.		

Part C.

8. **Attachments.** List any attachments included with your application.

Copy of 210 Woodland Drive original property lines

Copy of 210 Woodland Drive showing additional property purchased in 1993

9. **Other information.** You may provide any other information you feel is relevant to the review of your application.

10. Applicant certification

- I certify that all of the information in this application, along with any attachments, are true and correct to the best of my knowledge and belief.
- I understand that submission of this application authorizes city officials, Plan Commission members, Common Council members, employees, and other designated agents to enter the subject property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.
- I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of such written materials or view it online.
- I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.
- I certify that I am the person identified below OR I am submitting this application on behalf the entity identified below.

property owner

Plan Commission

Common Council

Applicant:

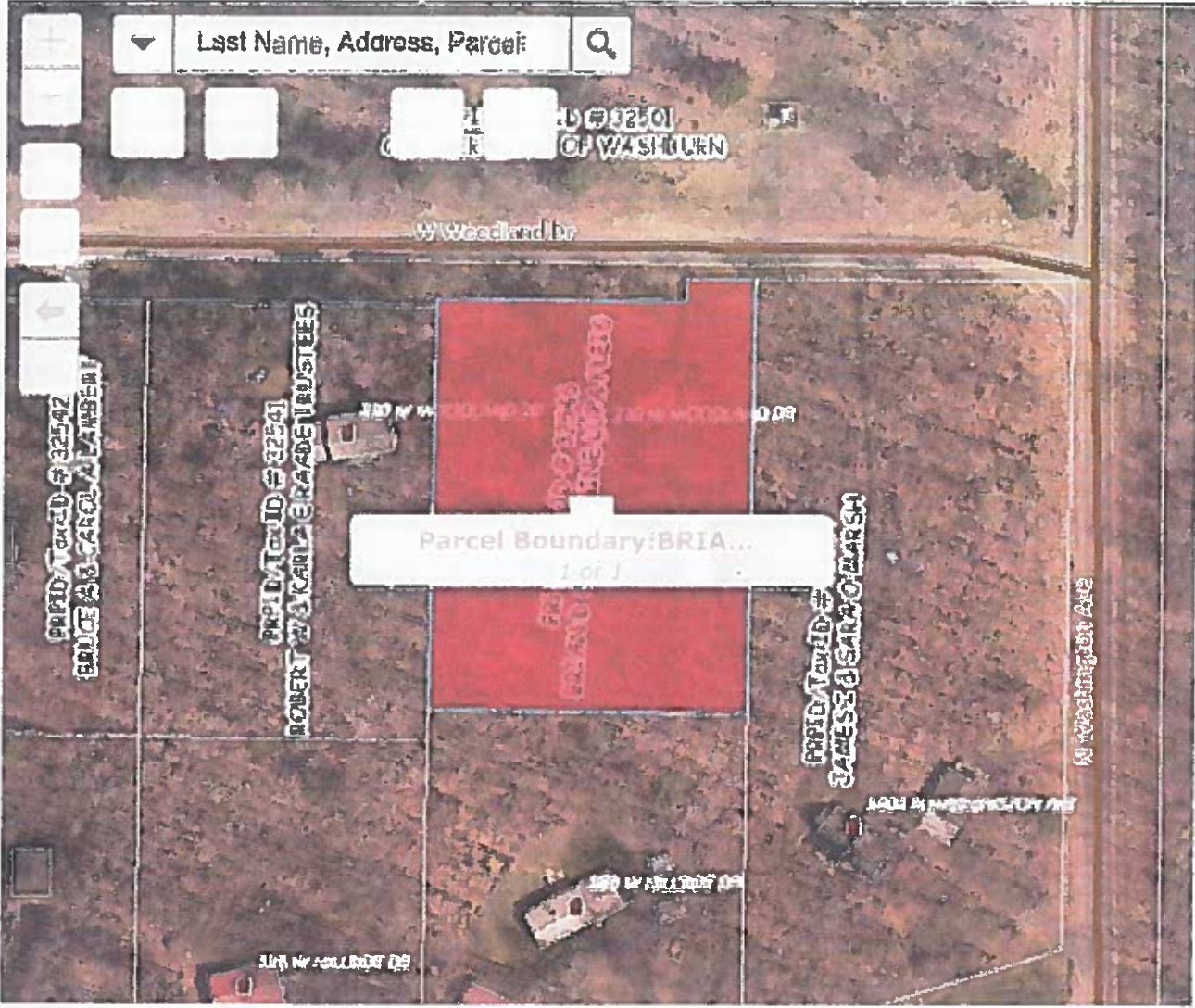
B. D. T. J.

Date:

1-18-2021

Josephine A. Lupa-Fluz

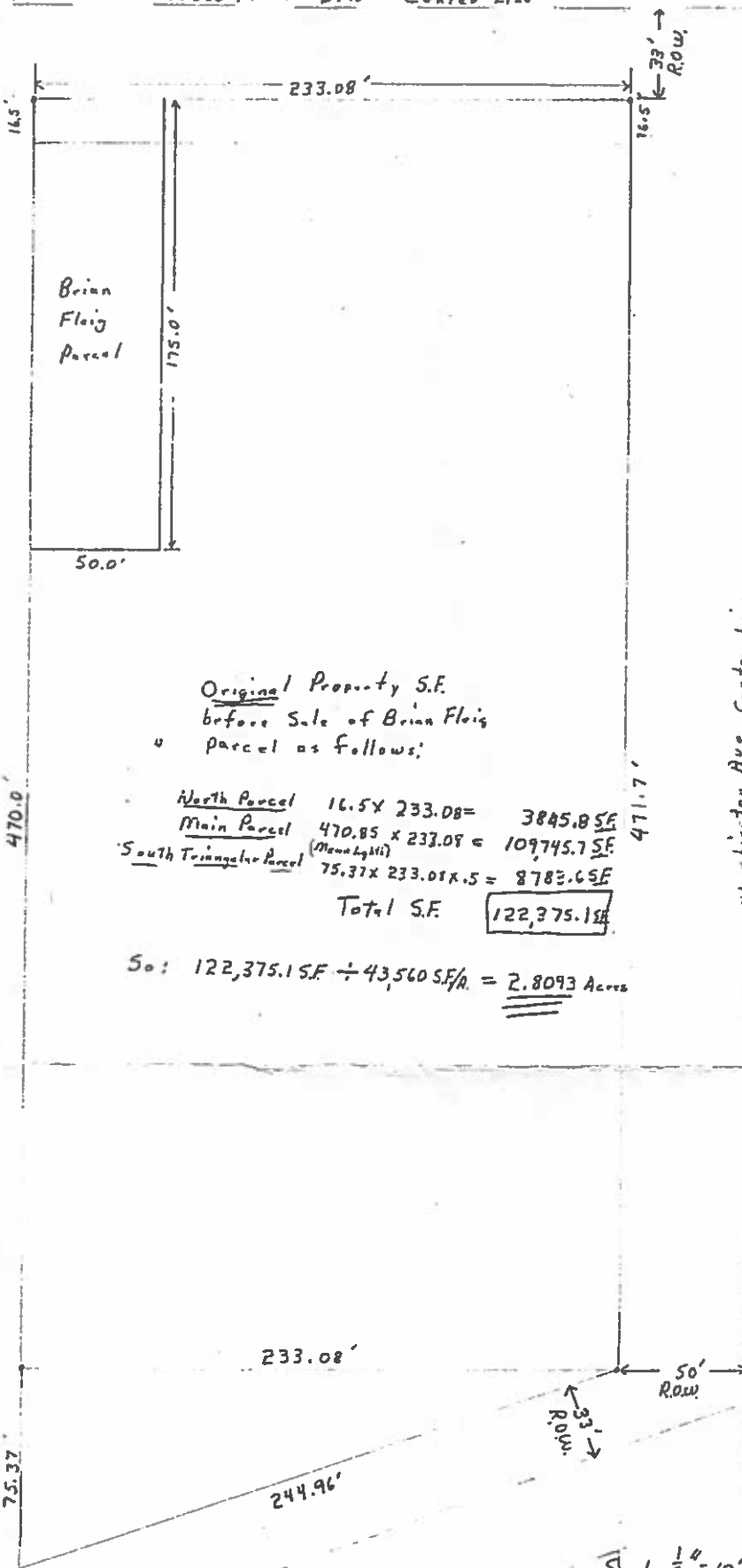
1-18-2021



Features selected: 1

- Owner Name: BRIAN
- Short Parcel Number: 211
- Smart/Long PIN#: 211
- Site Address: 211
- First Name: BRIAN
- Last Name: FLEICHER
- MCD: CITY OF WASHINGTON
- Section: 32
- Town: 49
- Range: 04
- Mail Address: 211
- Mail City: WASHINGTON
- Mail State: WI
- Mail Zip: 54891
- [NOVUS-Tax and F](#)

Woodland Drive Center Line



Brian Floig Parcel

50.0'

Original Property S.F. before Sale of Brian Floig parcel as follows:

North Parcel $16.5 \times 233.08 = 3845.85 \text{ SF}$
 Main Parcel $470.85 \times 233.08 = 109745.7 \text{ SF}$
 South Triangular Parcel $75.37 \times 233.08 \times .5 = 8783.65 \text{ SF}$
 Total S.F. 122,375.15

So: $122,375.15 \text{ SF} \div 43,560 \text{ SF/A} = \underline{\underline{2.8093 \text{ Acres}}}$



Washington Ave Center Line

Scale $\frac{1}{4}'' = 10'$

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CITY OF WASHBURN
NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the Plan Commission on, Thursday, February 18, 2021, at 5:30 P.M. at City Hall, 119 Washington Avenue, for public comment on the following issue:

Conditional Use Permit Application:

Request for Seasonal Single Family Residential Use of a Structure in a Commercial District – To continue to allow residential use of a portion of the property located at 406 W. Bayfield Street for six months out of the year once that portion is converted to commercial use – Susan Lince and John Hopkins, Petitioners

The property is zoned C-2, General Commercial. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver
Zoning Administrator

publ.: Class 2 – January 22 and 29, 2021
Daily Press Box Ad

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
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FAX 715-373-6148

To: Plan Commission Members
From: Scott J. Kluver, ^{SK} Administrator
Re: Lince/Hopkins CUP - Seasonal Residential Use of a Portion of Structure in a Commercial District
Date: February 2, 2021

Enclosed you will find the application materials from Susan Lince and John Hopkins for a Conditional Use Permit (CUP) to allow seasonal residential use of a portion of a property they wish to turn into commercial use. This is a bit complex, but I will try to explain it as simply as possible to show the logic of how this method complies with the spirit of the code.

The structure located at 406 W. Bayfield Street is a residential structure and has been since it was built. This may have been perfectly allowable at the time; however, the current code requires that any new residential structure in the C-2 General Commercial District is required to first obtain a CUP. It is the intention of Ms. Lince and Mr. Hopkins to turn a portion of the existing structure into commercial use by allowing an artists gallery in the front foyer and living room of the structure (approx. 490 square feet.) The remaining portion of the structure would remain residential and there is still adequate space in the structure to meet code. The issue is that six months out of the year, the commercial space would be turned back into residential space. This can not be done without first obtaining a conditional use permit as once space is converted to commercial, it is supposed to remain commercial in this district. By granting this conditional use permit, we would be clear and up-front that this transition can occur every six months and continue as long as they keep the same basic schedule.

The Plan Commission may wish to make changes to the draft CUP to make sure the intentions here are as clear as possible. I have noted that four off-street parking spaces are required to allow for both the residential and commercial activity.

No architectural changes or site modifications are planned for this property at this time. Note the criteria in the ordinance by which the Commission should either approve or deny the permit in 7-55 of the enclosed ordinance and the responses provided for that criteria.

Please let me know if you have any questions on this application. I have no objections to this request.

CITY OF WASHBURN CONDITIONAL USE PERMIT

A Conditional Use Permit is hereby granted, pursuant to Title 13, Chapter 1, Article 7, Division 3 of the City of Washburn Zoning Ordinance to Susan Lince and John Hopkins (hereinafter User), in respect to property currently zoned C-2 General Commercial District, herein referred to as Subject Property, described as:

Street Address: 406 West Bayfield Street

Legal Description: ORIG TOWNSITE OF WASHBURN LOTS 13 - 16 BLOCK 28 IN DOC 2020R-583576

Tax ID: 36600 **PIN:** 04-291-2-48-04-05-2 00-312-18230

This Conditional Use Permit is granted for the purpose of permitting the User, and only the User, to engage in the permitted use set forth immediately below:

1. To have a single-family residential use of a structure, on a seasonal basis, in a Commercial District in accordance with Section 13-1-8-254 of the City of Washburn Zoning Code. Specifically, this will allow the seasonal use of a portion of an existing structure, that will be converted to commercial use, and then residential use, on an approximate six-month rotating basis.

This Conditional Use Permit is subject to the following special conditions:

1. This Conditional Use Permit is issued exclusively to the User, does not run with the land for which it is issued, and may not be sold, conveyed, assigned or otherwise transferred to any other person or entity. This permit will be effective once all conditions are complied with as specified in ordinance.
2. Issuance of a Conditional Use Permit does not indicate that the City of Washburn has certified the above referenced dwelling nor has it inspected the building, nor does it ensure that it meets local, state, federal, or professional requirements or standards related to the subject use.
3. All waste container facilities on the Subject Property shall be screened from view (from adjacent streets).
4. User shall construct a sign upon the property; identifying the User's business and the property address. A sign permit is required prior to constructing the sign, and the sign must conform to the City's Sign Ordinance.
5. User shall provide onsite parking for residents, customers, and all other visitors to the Subject Property and concrete, bituminous concrete pavement, or gravel shall be required for all driveways



and parking areas in accordance with 13-1-17-5.04 of the City of Washburn Zoning Code. At the time of issuance of this permit, two spaces are required for residential use and two spaces for general retail use. This provision needs to be complied with before the permit is valid.

6. All conditional uses referred to above may be carried out upon the Subject Property twenty-four (24) hours per day, seven (7) days a week.
7. The Common Council for the City of Washburn may at some future date require regular review and renewal of Conditional Use Permits or otherwise change the Conditional Use Permit Ordinances. The holder of the permit may be subject to permit termination and/or renewal at the discretion of the Common Council or its designee. Holder of the permit may be subject to additional ordinance requirements and expense in that event.

Statement on the nature of the approval:

In approving this Conditional Use Permit, the Plan Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and it would not impede the normal development. The Common Council adopts these findings.

Appeal rights for applicant and other aggrieved persons:

Within 30 days of the decision date, a written appeal, including the reasons for the appeal, must be received by the City Clerk. The appeal process will follow the procedure outlined in 13-1-7-23 of the zoning ordinance.

Susan Lince

Date

Personally came before me this ____ day of _____, 2021, the above-named Susan Lince, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

John Hopkins

Date



Personally came before me this ____ day of _____, 2021, the above-named John Hopkins, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Mary D. Motiff, Mayor
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Mary D. Motiff, known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Scott J. Kluver, Zoning Administrator
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Scott J. Kluver, known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

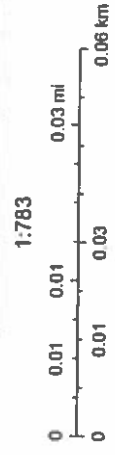


Bayfield County, WI



11/19/2021, 8:05:22 AM

- Assessed Co Parcels
- Double Co Parcels
- Rivers
- Lakes
- Tie Lines
- Meander Lines
- Approximate Parcel Boundary
- Section Lines
- Government Lot
- Municipal Boundary
- Red Cliff Reservation Boundary
- All Roads
- State
- County
- Town
- CFR
- Private
- Survey Maps
- UnRecorded Map
- Recorded Map
- Corner Tie Sheets
- Section Corner Monument Referenced on File
- Section Corner Monument Referenced on Survey Building Footprint 2005-2015
- Changed
- Demolished



Bayfield County, Bayfield County Land Records

406 W. Bayfield St.
Washburn, WI 54891
January 12, 2021

Scott J. Kluver
Zoning Administrator
City of Washburn
119 Washington Ave.
Washburn, WI 54891

Re: our application for a Conditional Use Permit for 406 W. Bayfield St.

Dear Mr. Kluver:

We bought the home at 406 W Bayfield St. as a residence in August of 2020, and live there now. We also bought the adjoining lot that extends to the Post Office, and understand that because of the zoning for these, the two pieces provide us with good commercial potential in Washburn. As owners of the building and gallery business at 631 W. Bayfield St (Artists Squared Gallery) we now want to expand our gallery presence in Washburn to a second one on Bayfield St., by assigning two spaces within the front of our residence at 406 W. Bayfield St. to become seasonal commercial gallery rooms. We would operate this new gallery six months out of the year, June through December. We understand that this requires a conditional use permit for part of our home to be designated for commercial use, as it was grandfathered in as residential some years ago.

The enclosed diagram of our space and application information should describe that we wish to use the enclosed front entryway and our living room during business hours June through December, converted to art gallery space, allowing customers to view and purchase art. The parts of the building that we use for our other living space would be easily closed off from the gallery during daytime business hours.

If this conditional use permit is granted, we will be finishing the interior walls of the front entryway after insulating it. As we have discussed with you by phone, we will also be applying for a façade renovation loan from the city, that would provide funds to re-paint the house and trim on the sides visible from Bayfield St, and add decorative signage and landscaping to the front of the building. (We will repaint the rest of the building using our own funds.)

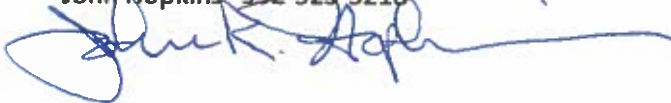
Please contact us if you need any further information.

Thank you.

Susan Lince 952-923-5222



John Hopkins 952-923-5218



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APPLICATION FOR CONDITIONAL USE PERMIT

(Zoning Code 13-7-51 through 62)

Name: Artists Squared Gallery Initial Application Amendment/Renewal
Susan Linck and John Hopkins

Physical and Mailing Address of Applicant: 406 W. Bayfield St., P.O. Box 82

Telephone Number: 952-923-5222 E-mail: artistsquaredgallery@gmail.com

Address/Description of Permit Property: 406 W. Bayfield St., Washburn

Requested Conditional Use: Seasonal commercial use for part of our residence (See attached floor plan). Zoning District: C2 General Commercial

Applicant shall submit a letter detailing the desired use, along with a scaled site plan of the property if new construction is involved.

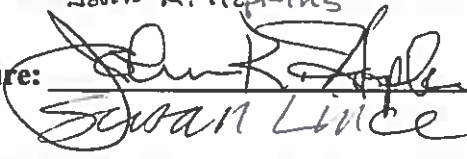
It is the responsibility of the applicant to provide the name and address (both physical and mailing) of property owners within a 150 foot radius the permit property. Please use attachments for longer lists.

1. Heidi Kotny, CPA
415 W. Bayfield St.
2. Red Cliff Community^{Health} Center
409 (or 411) W. Bayfield St.
3. Patsy's owners: Wally and Barb Englehard
328 Bayfield St.
- ✓ 4. U.S. Post Office
428 W. Bayfield St.
5. Neighbor (who would not give his name when asked)
401 (or 403) W. Bayfield St.

APPLICATION FOR CONDITIONAL USE PERMIT — Page 2

I have read municipal code 13-7-52 through 62 as presented to me upon application and understand the process related to the issuance of a Conditional Use Permit. I also understand that I may be required to submit supplemental information as may be required elsewhere in the zoning code for my particular request.

John R. Hopkins

Application Signature:  Date: 1-12-21

Filing Fee: A \$150 filing fee is due at the time of submitting the application. A receipt of the fee payment shall be attached to this application form and shall serve as the application submission date.

OFFICE USE ONLY

Date of Review Completed by Zoning Administrator: 01/19/21

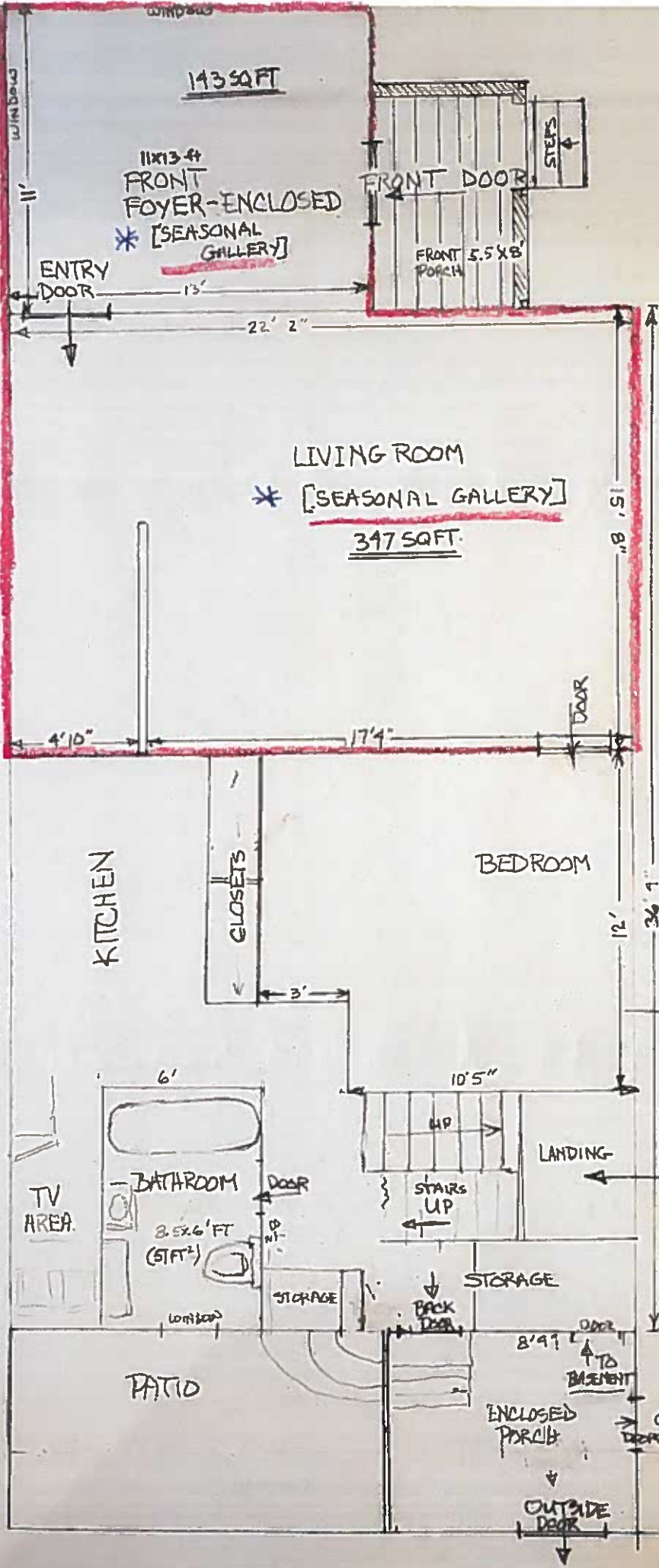
Date of Public Hearing: 02/16/21

Dates of Publication/Mailing: 01/22 + 01/29 DP

Recommendation of Plan Commission: _____

Approval by Council: _____

406 W BAYFIELD ST.



CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 30754

Date: 1/20/2021

Check

RECEIVED FROM ATRIST SQUARED STUDIOS & GALLERY, LLC

\$150.00

<u>Type of Payment</u>	<u>Description</u>	<u>Amount</u>
Accounting	ZONING PERMITS	150.00
	COND. USE PERMIT APP. ARTISTS SQUARED	

TOTAL RECEIVED

150.00

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
715-373-6161
FAX 715-373-6148

CITY OF WASHBURN
NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the Plan Commission on, Thursday, February 18, 2021, at 5:30 P.M. at City Hall, 119 Washington Avenue, for public comment on the following issue:

Conditional Use Permit Application:

Request for Tourist Rooming House – Operate a tourist rooming house out of the property located at 1 West 3th Street – Mand Properties, LLC, Petitioner

The property is zoned R-6, Mixed Residential. Residents unable to attend the public hearing may provide written comment to the Zoning Administrator prior to the hearing.

Scott J. Kluver
Zoning Administrator

publ.: Class 2 – January 22 and 29, 2021
Daily Press Box Ad

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
715-373-6161
FAX 715-373-6148

To: Plan Commission Members
From: Scott J. Kluver, Administrator *SK*
Re: Mand Properties CUP - Tourist Rooming
Date: February 3, 2021

Enclosed you will find the application materials from Mand Properties LLC for a Tourist Rooming Conditional Use Permit (CUP) for the property located at 1 West 3rd St. The property is in the R-6, Mixed Residential, District.

Tourist Rooming Houses are conditionally allowable in this district. A copy of the health permit had been provided. As four bedrooms within the home will be used for tourist rooming, there will be adequate off-street parking to accommodate counting the two garage spaces and spaces in front of the garage.

No architectural changes or site modifications are planned for this property. Note the criteria in the ordinance by which the Commission should either approve or deny the permit in 7-55 of the enclosed ordinance and the responses provided for that criteria.

Ms. Dana Huber will be the agent for the property. Please let me know if you have any questions on this application. I have no objections to this request.

At a future meeting, the Plan Commission may wish to have a policy discussion on the allowance of tourist rooming houses in residential districts going into the future. This has been a very popular activity in recent years. There are however detrimental effects on the community by taking a limited housing stock and converting it to tourist housing.

CITY OF WASHBURN CONDITIONAL USE PERMIT

A Conditional Use Permit is hereby granted, pursuant to Title 13, Chapter 1, Article 7, Division 3 of the City of Washburn Zoning Ordinance to Mand Properties, LLC (hereinafter User), in respect to property currently zoned R-6 Mixed Residential District, herein referred to as Subject Property, described as:

Street Address: 1 West 3rd Street

Legal Description: ORIG TOWNSITE OF WASHBURN LOTS 9-10 BLOCK 52 IN DOC 2020R-583806 677

Tax ID: 33280 **PIN:** 04-291-2-49-04-32-4 00-312-36400

This Conditional Use Permit is granted for the purpose of permitting the User, and only the User, to engage in the permitted use set forth immediately below:

1. To operate a tourist rooming house in accordance with Section 13-1-8-294 of the City of Washburn Zoning Code.

This Conditional Use Permit is subject to the following special conditions:

1. This Conditional Use Permit is issued exclusively to the User, does not run with the land for which it is issued, and may not be sold, conveyed, assigned or otherwise transferred to any other person or entity. This permit will be effective once all conditions are complied with as specified in ordinance.
2. Issuance of a Conditional Use Permit does not indicate that the City of Washburn has certified the above referenced dwelling nor has it inspected the building, nor does it ensure that it meets local, state, federal, or professional requirements or standards related to the subject use.
3. All waste container facilities on the Subject Property shall be screened from view (from adjacent streets).
4. User shall construct a sign upon the property; identifying the User's business and the property address. A sign permit is required prior to constructing the sign, and the sign must conform to the City's Sign Ordinance.
5. User shall provide onsite parking for employees and all other visitors to the Subject Property and concrete, bituminous concrete pavement, or gravel shall be required for all driveways and parking areas in accordance with 13-1-17-5.04 of the City of Washburn Zoning Code. At the time of issuance of this permit, four spaces are required. This provision needs to be complied with before the permit is valid.

6. All conditional uses referred to above may be carried out upon the Subject Property twenty-four (24) hours per day, seven (7) days a week.
7. The Common Council for the City of Washburn may at some future date require regular review and renewal of Conditional Use Permits or otherwise change the Conditional Use Permit Ordinances. The holder of the permit may be subject to permit termination and/or renewal at the discretion of the Common Council or its designee. Holder of the permit may be subject to additional ordinance requirements and expense in that event.
8. Dana Huber shall be listed as the agent for this tourist rooming house.

Statement on the nature of the approval:

In approving this Conditional Use Permit, the Plan Commission confirmed the size of the parcel was not an issue, the use is compatible, the location of the use on the property is not a concern, traffic safety should not be a problem, it is a suitable additional use, there are no negative impacts on the environment known of, concerns with impacts on the neighbors were discussed and guest rules will be posted to help address these concerns, and it would not impede the normal development. The Common Council adopts these findings.

Appeal rights for applicant and other aggrieved persons:

Within 30 days of the decision date, a written appeal, including the reasons for the appeal, must be received by the City Clerk. The appeal process will follow the procedure outlined in 13-1-7-23 of the zoning ordinance.

Mand Proprties, LLC – Albert Eitsert, Member

Date

Personally came before me this ____ day of _____, 2021, the above-named Albert Eitsert, to me known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____



Mary D. Motiff, Mayor
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Mary D. Motiff, known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____

Scott J. Kluver, Zoning Administrator
City of Washburn

Date

Personally came before me this ____ day of _____, 2021, the above-named Scott J. Kluver, known to be the person who executed for the foregoing instrument and acknowledge the same.

Notary Public, Bayfield County, Wisconsin

My commission expires: _____





Lodging Inspection Report

Establishment Information	
Facility Name GRANDSTAFF HOUSE	Facility Type Tourist Rooming House (LTR)
Facility ID # AMCY-BX2L2E	Facility Telephone # 715
Facility Address 1 W 3RD ST WASHBURN, WI 54891	
Licensee Name MAND PROPERTIES	Licensee Address

Inspection Information		
Inspection Type Pre-inspection Follow Up	Inspection Date January 29, 2021	Total Time Spent

OPERATOR - The violations in operating procedure or physical arrangement indicated below must be corrected by the next routine inspection or by a date specified in this report.

Comments:
Previous corrections have all been made.
No issues noted -
Make sure ot remove personal items and food before renting.

Any operator aggrieved by an order of this department under this chapter may request a hearing as provided in ch.227 statute, if state licensed, or a local ordinance if licensed by an agent health department.

Person in Charge

Sanitarian

Anne-Marie Coy
(715) 373-6109 ext #3321

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
715-373-6161
FAX 715-373-6148

APPLICATION FOR CONDITIONAL USE PERMIT

(Zoning Code 13-7-51 through 62)

Name: Albert Eitser Initial Application Amendment/Renewal

Physical and Mailing Address of Applicant: 25153 Kearns Ct, La Crosse, WI: 54601

Telephone Number: (608) 606-2560 E-mail: eitsera@gmail.com

Address/Description of Permit Property: 103rd St Washburn, WI: 54891

Requested Conditional Use: Short term rental Zoning District: _____

Applicant shall submit a letter detailing the desired use, along with a scaled site plan of the property if new construction is involved.

It is the responsibility of the applicant to provide the name and address (both physical and mailing) of property owners within a 150 foot radius the permit property. Please use attachments for longer lists.

- Linda Schaar Barnes 543rd St Washburn, WI: 54891
- Carol Raktke 912 3rd St Washburn, WI: 54891
- Benjamin & Sarah M Cook 2260 270th Ave Cushing, WI: 54006
321 N Central Ave Washburn
- Theodore & Shirley Frank Po Box 637, Washburn, WI: 54891
221 N Central Ave Washburn
Joseph Eucione + Montine McCluskey
- Bison Bldg Materials Inc Po Box 486 Washburn, WI: 54891
810 3rd St Washburn

6) Patrick Hoefling 3 E 3rd St Washburn, WI

7) Gabrielle Lajoie Trustee S32W27641 Daleview Dr, Waukesha, WI
320 N Central Ave Washburn 53188

8) Lisenby Properties LLC PO Box 597 North Branch, MN 55056
12 E 3rd St Apt 1 Washburn

9) Evergreen Rental LLC 30150 Niemisto Rd Washburn, WI
8 W 4th St Washburn, WI

- Patrick & Tina Brown
10 W 4th St Washburn

- James M. MacFarlane
12 E 4th St Washburn

APPLICATION FOR CONDITIONAL USE PERMIT --- Page 2

I have read municipal code 13-7-52 through 62 as presented to me upon application and understand the process related to the issuance of a Conditional Use Permit. I also understand that I may be required to submit supplemental information as may be required elsewhere in the zoning code for my particular request.

Application Signature: Albert Sobieski Date: 1/7/2021

Filing Fee: A \$150 filing fee is due at the time of submitting the application. A receipt of the fee payment shall be attached to this application form and shall serve as the application submission date.

OFFICE USE ONLY

Date of Review Completed by Zoning Administrator: 01/14/21

Date of Public Hearing: _____

Dates of Publication/Mailing: _____

Recommendation of Plan Commission: _____

Approval by Council: _____

Date 1/7/2021

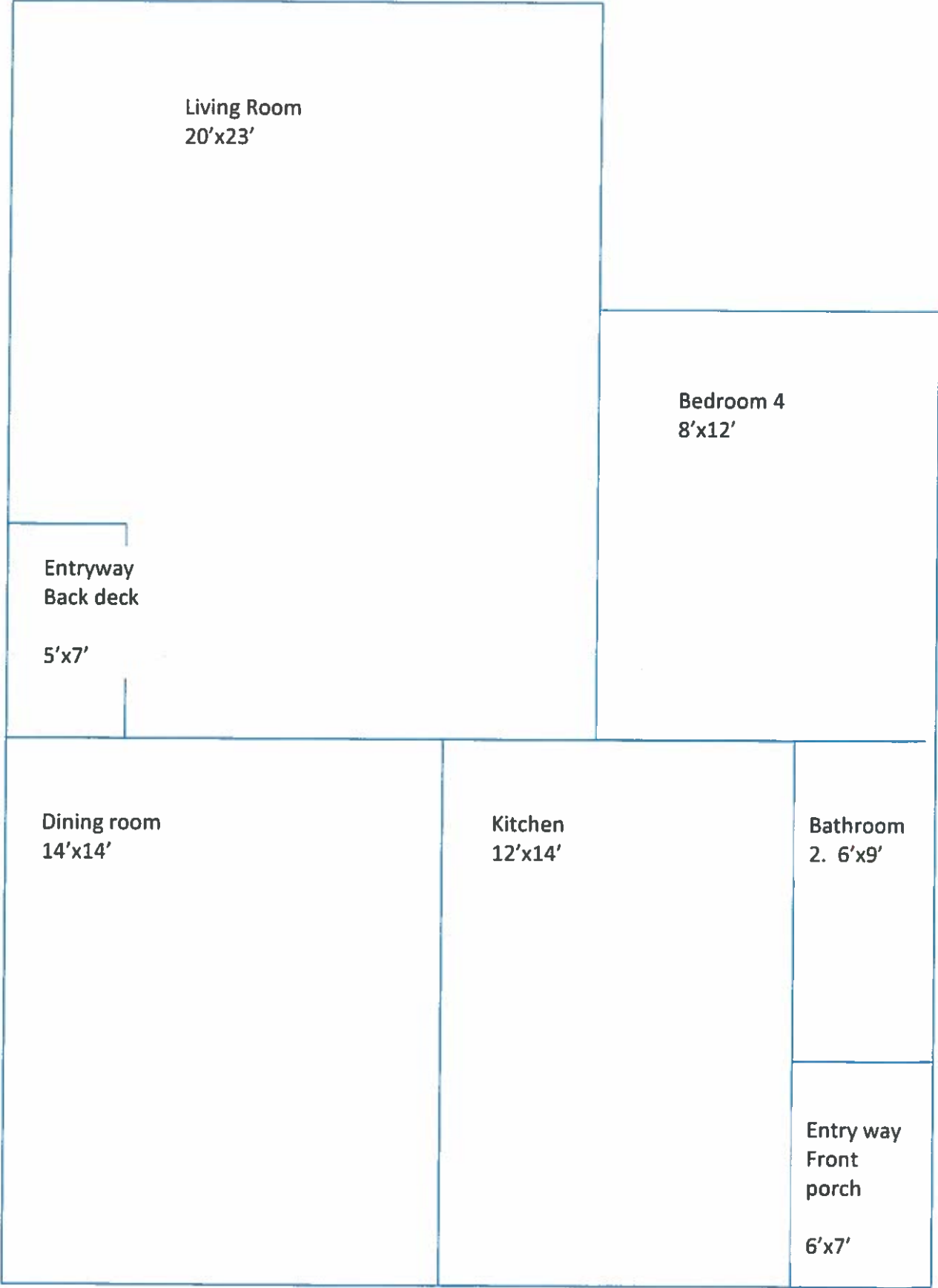
To whom it may concern,

My name is Albert Eitsert, my family and I have purchased a property on 1w 3rd street Washburn, in which we purchased it from a cousin. We really love this area and look forward to spending time here as a vacation home. We are also looking let other people share the beauty of this area and the joy of the town of Washburn.

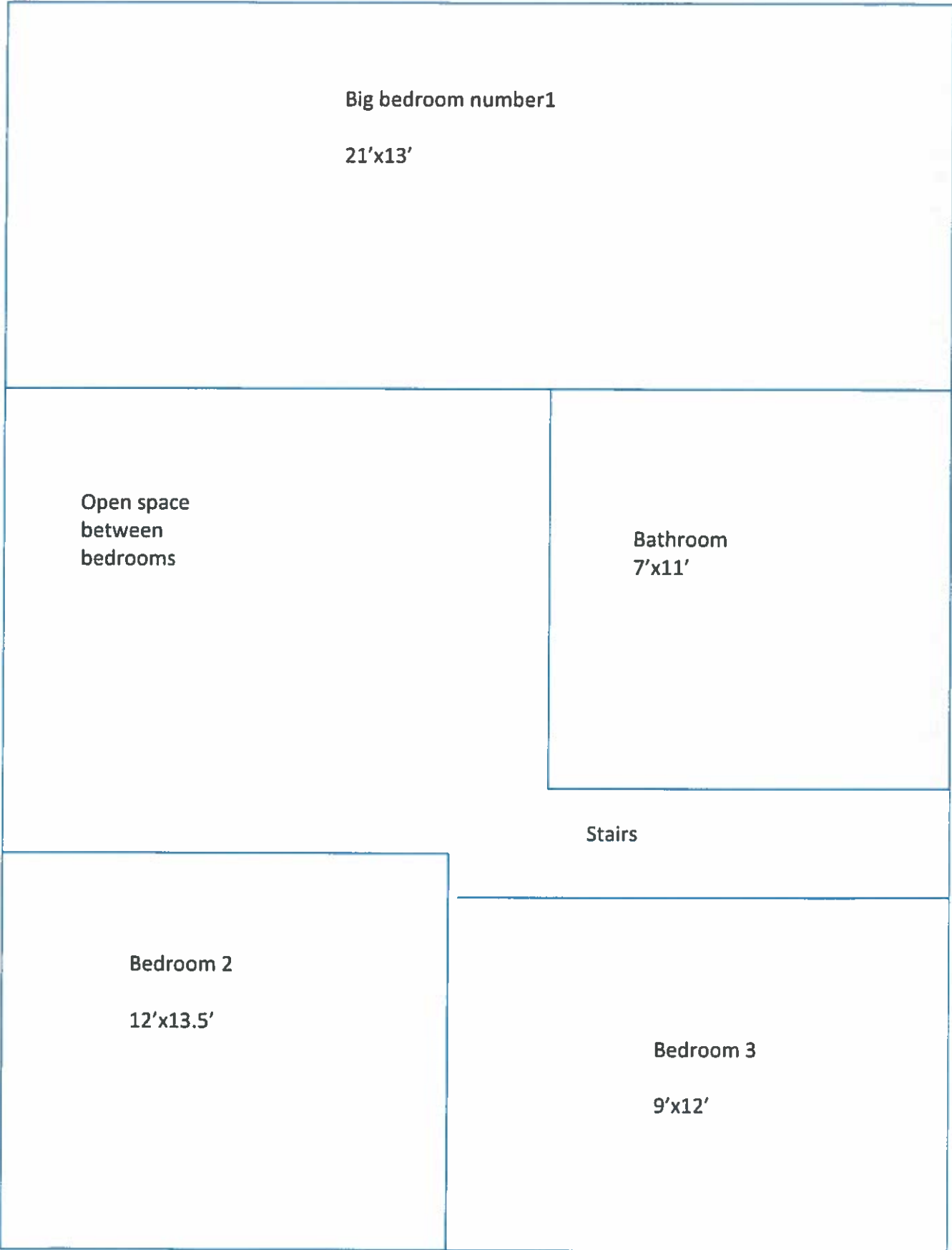
Our plans are to rent this house out as a vacation rental or they call it a short-term rental, when we are not using it. I have filled out the application and have listed the names of the homeowners that are 150 ft from my property.

We have an agent for the house and her name is Dana Huber. Her phone number is (715) 209-2115 and address 29595 Wedal Rd Washburn, Wi.

Thank you,
Albert Eitsert



Up stairs 3 bedrooms one bath



Big bedroom number1

21'x13'

Open space
between
bedrooms

Bathroom
7'x11'

Stairs

Bedroom 2
12'x13.5'

Bedroom 3
9'x12'

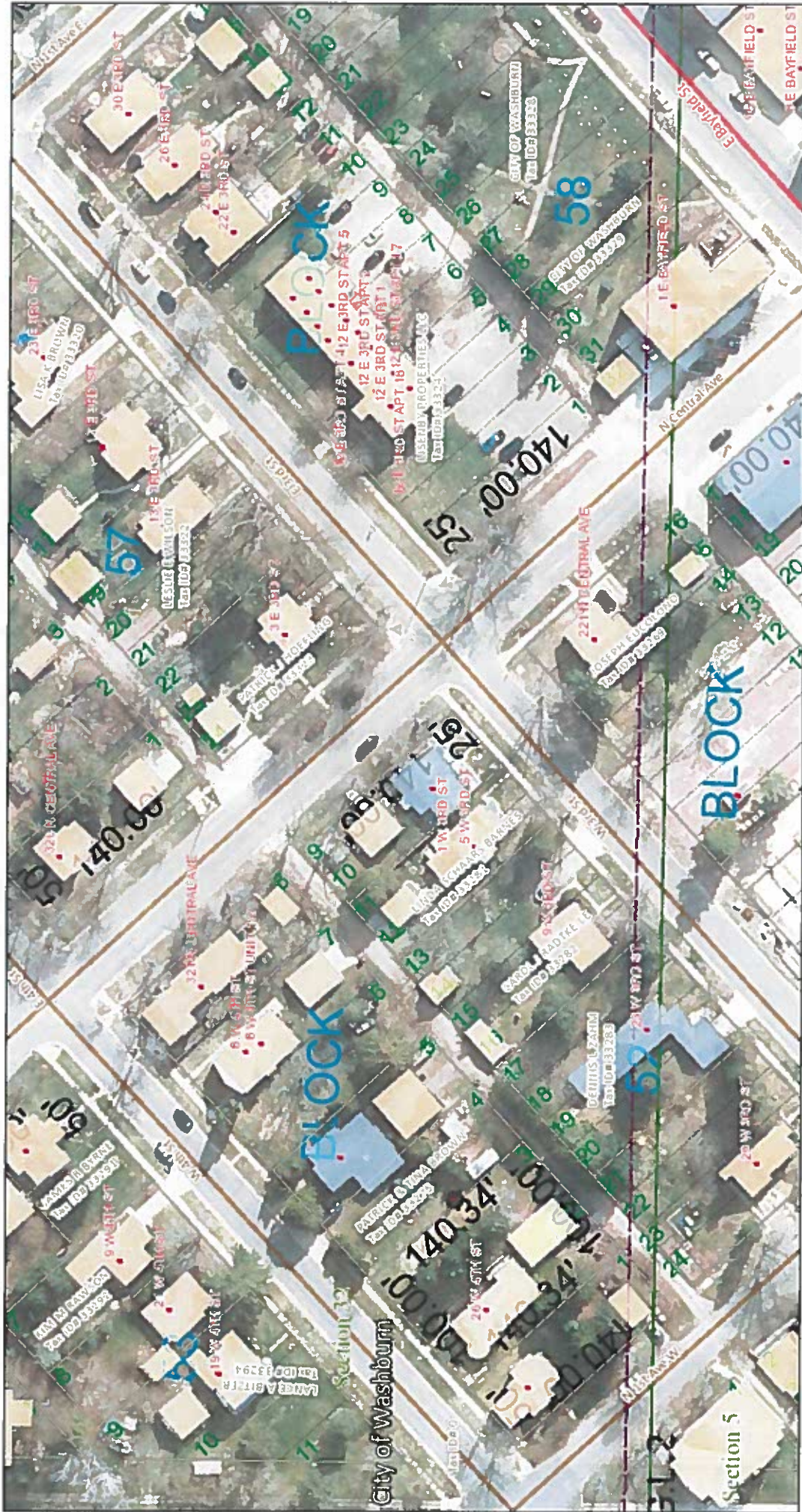
Parking for 1W 3rd St Washburn

Parking for 1W 3rd street Washburn. We have a 24'x24' Garage that can park 2 and also a pad in front the garage to park 2 more. We would have space to park 2 along the west side of the garage.

Sleeping Spaces for 1W 3rd St Washburn

We will have 4 sleeping spaces for 1W 3rd St Washburn. There are 3 bedrooms upstairs and 1 downstairs.

Bayfield County, WI



1/15/2021, 3:03:54 PM

1.783



- Ashland Co Parcels
- Douglas Co Parcels
- Rivers
- Lakes
- Tie Lines
- Meander Lines
- Approximate Parcel Boundary
- Section Lines
- Government Lot
- Municipal Boundary
- Red Cliff Reservation Boundary
- All Roads
- Federal
- State
- County
- Town
- CFR
- Private
- Survey Maps
- UnRecorded Map
- Recorded Map
- Corner Tie Sheets
- Section Corner Monument on File
- Section Corner Monument Referenced on Survey
- Building Footprint 2008-2015
- Changed
- Demolished

Bayfield County, Bayfield County Land Records





CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 30694

Date: 1/08/2021

Check

RECEIVED
FROM

MAND PROPERTIES, LLC

\$150.00

Type of Payment

Description

Amount

Accounting

ZONING PERMITS

150.00

ALBERT EITSERT CUP APPLICATION

TOTAL RECEIVED

150.00

CITY OF WASHBURN
119 Washington Avenue
P.O. Box 638
Washburn, WI 54891



715-373-6160
715-373-6161
FAX 715-373-6148

To: Honorable Mayor and Plan Commission Members
From: Tammy DeMars, Deputy Zoning Administrator *td*
Re: Special Exception/Enlargement of a Non-Conforming Structure
Date: February 11, 2021

Erin Tenney and Tony Jennings have applied for a permit to construct a 30' x 14' attached garage to their residence. This property, in R-6 Zoning District located at 410 2nd Ave. East currently has a house and 160 sq ft utility shed, the proposed garage would be attached to the rear of the house. The current rear-yard setback of the house is 22', the required setback for a primary structure is 25', by adding the attached garage it would bring the rear setback to 8'.

Article 21-4 Nonconforming structures (b) Enlargement. "A nonconforming structure that is used for a conforming use may be enlarged provided the Plan Commission authorizes such enlargement pursuant to the requirements in Article 7."

7-154 Outlines the factors that the Plan Commission should consider when making their decision.

- 1) The size of the property in comparison to other properties in the area; *Property is comparable to adjoining properties*
- 2) The extent to which the issuance of the special exception permit would be in keeping with the overall intent of this chapter; *Past standard has been not to create a greater violation, this exception would greatly increase the current non-conforming setback.*
- 3) Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception; *None known*
- 4) The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception was granted; *No known impact*
- 5) The nature and extent of anticipated positive and negative effects on properties in the area; *By approving you would be setting a standard that no one needs to follow the setback rules*

- 6) Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception; *Unknown*
- 7) A factor specifically listed under a section of this chapter authorizing the issuance of a special exception; *Article 8, Section 8-75* and
- 8) Any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

Although all other dimensional standard for the proposed garage can be met, I would recommend denial for this exception as it would create a gross violation of the setback regulations and it goes against the standards, we have used to not make any violation greater that it already is.

Anthony Jennings
Anthony Jennings & Crew Real Estate
315 Turner Road
Ashland, WI 54806

January 12, 2021

Planning & Zoning Committee
City of Washburn
119 Washington Avenue
Washburn, WI 54891

To whom it may concern,

Please accept our formal application for a special exception to build an attached garage at 410 2nd Ave E, Washburn, WI 54891.

The garage will be sided to match the existing vinyl siding on the house and have a flat roof at a height of 11', which will match the second floor level.

1. This lot meets size requirements for R-6.
2. There is no way to build a garage on this property without encroaching on setbacks.
3. The option will be most aesthetically pleasing and closely match others in the area.
4. It meets front and side yard requirements.
5. Garage will encroach on rear setback by approximately 17'. 25' required- 8' once garage is built 22' existing.
6. There is no apparent impact on adjoining properties.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony Jennings', followed by a long horizontal line extending to the right.

Anthony Jennings
715.209.6841
Anthony@ajennings.com

**CITY OF
WASHBURN
WISCONSIN**

CONSTRUCTION PERMIT APPLICATION

Remodeling ___ Windows ___ Doors ___ Roofing ___ Siding ___ Plumbing/HVAC

Permit Request:

New Construction ___ Deck ___ Fence ___ Flat Work ___ Electrical ___ Other

Complete the following with name, address, (house # and mailing address) & telephone

Owner Eria Tenney E-Mail ctenney@gmail.com
 Construction Contractor self Phone 715.704.2261
 Address _____ License # _____
 Excavation Contractor _____ Phone: _____
 Address _____ License # _____

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.

PROJECT INFORMATION

Site Address 410 2nd Ave E Pin # 02441-2-49-33-4-00-312-47900
 RE Tax ID # 33385 Zoning District R6 Lot Area 72X100 - 2005sq ft

Description of work add garage to back of house - see attached site plan

Estimated Project Cost \$13,000

<p>NEW CONSTRUCTION</p> <p>Building Height _____</p> <p><input type="checkbox"/> 1-story <input type="checkbox"/> Other _____</p> <p><input type="checkbox"/> 2-story <input type="checkbox"/> Basement _____</p>	<p>Area Involved</p> <p>Basement _____ sq ft</p> <p>Living Area _____ sq ft</p> <p>Garage _____ sq ft</p> <p>Total _____ sq ft</p>	<p>Water & Sewer:</p> <p>Water <input type="checkbox"/> Municipal or <input type="checkbox"/> Private Well</p> <p>Sewer <input type="checkbox"/> Municipal or <input type="checkbox"/> Septic</p> <p>Permit Numbers _____</p>
--	--	--

Additional permits that may **not be** covered by this application: Driveways; Sewer; Water; Demolition, Sidewalks

I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

Eria Tenney

12/29/2020

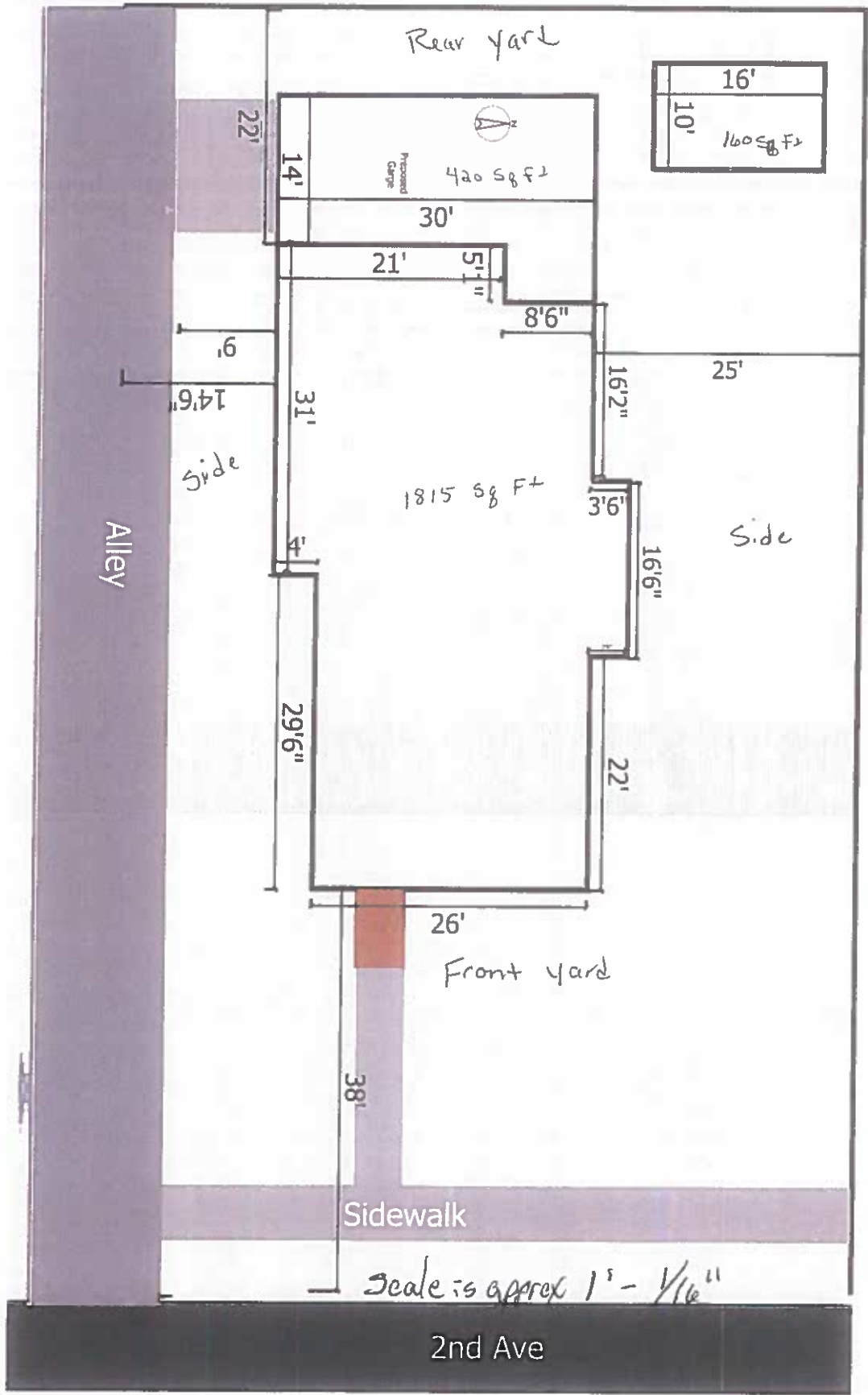
Applicant Signature

Date

CONDITIONS OF APPROVAL This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

See Attached Condition Letter

NOTES	<u>FEES (per Title 15 Municipal Code)</u>		PERMIT ISSUED BY: DATE ISSUED _____ PERMIT NO. _____
	<input type="checkbox"/> Remodeling <input type="checkbox"/> New Construction <input type="checkbox"/> Fence <input type="checkbox"/> Flat Work <input type="checkbox"/> Siding <input type="checkbox"/> Roofing <input type="checkbox"/> Driveway	<input type="checkbox"/> Demolition <input type="checkbox"/> Deck <input type="checkbox"/> Shelter <input type="checkbox"/> _____ <input type="checkbox"/> Early Start TOTAL _____	

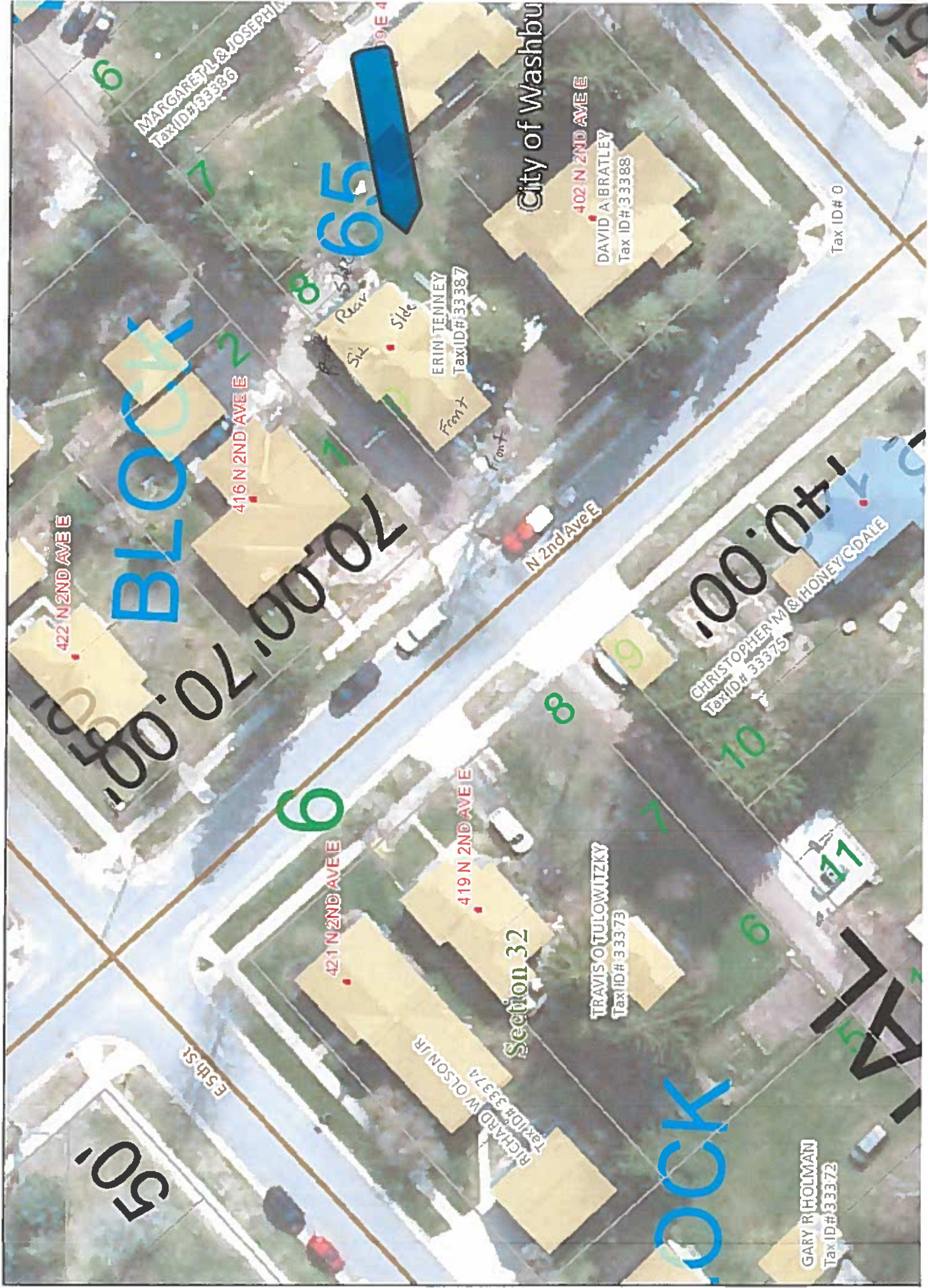


Scale is approx 1" = 1/16"

2nd Ave



Bayfield County, WI



CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 30755

Date: 1/20/2021

Check

RECEIVED
FROM

ANTHONY JENNINGS

\$50.00

Type of Payment

Accounting

Description

ZONING PERMITS

EXCEPTIONS APP. JENNINGS/TENNEY

Amount

50.00

TOTAL RECEIVED

50.00

CONSTRUCTION PERMIT APPLICATION

Permit Request: Remodeling Windows Doors Roofing Siding Plumbing/HVAC
 New Construction Deck Fence Flat Work Electrical Other

Complete the following with name, address, (house # and mailing address) & telephone

Owner Allen Kurth 15595 Hwy 73 Gilman WI 54433 E-Mail Fourtwingles@yahoo.com
 Construction Contractor _____ Phone 715-965-7599
 Address _____ License # _____
 Excavation Contractor _____ Phone: _____
 Address _____ License # _____

Owner is ultimately responsible for all code compliance related to the work for which this permit is issued.

PROJECT INFORMATION

Site Address 201-59th AVE W Pin # 04-291-2-48-04-06-100-318-24000
 RE Tax ID # 33880 Zoning District 1 Lot Area _____

Description of work mobile home Removal

Estimated Project Cost 0

NEW CONSTRUCTION Building Height _____ <input type="checkbox"/> 1-story <input type="checkbox"/> Other _____ <input type="checkbox"/> 2-story <input type="checkbox"/> Basement _____	Area Involved Basement _____ sq ft Living Area _____ sq ft Garage _____ sq ft Total _____ sq ft	Water & Sewer: Water <input type="checkbox"/> Municipal or <input type="checkbox"/> Private Well Sewer <input type="checkbox"/> Municipal or <input type="checkbox"/> Septic Permit Numbers _____
---	--	---

Additional permits that may not be covered by this application: *Driveways; Sewer; Water, Demolition, Sidewalks*

I agree to comply with all applicable codes, statutes and ordinances and with the conditions of this permit; understand that the issuance of the permit creates no legal liability, express or implied, on the State of Wisconsin or the City of Washburn; and certify that all of the above information is accurate. If I am an owner applying for an erosion control or construction permit, I have read the cautionary statement regarding contractor financial responsibility on the reverse side of this application form.

Allen Kurth
 Applicant Signature

2-6-2021
 Date

CONDITIONS OF APPROVAL This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

See Attached Condition Letter

15-1-13 moving Bldg.

NOTES	FEES (per Title 15 Municipal Code)		PERMIT ISSUED BY:
	<input type="checkbox"/> Remodeling <input type="checkbox"/> New Construction <input type="checkbox"/> Fence <input type="checkbox"/> Flat Work <input type="checkbox"/> Siding <input type="checkbox"/> Roofing <input type="checkbox"/> Driveway	<input checked="" type="checkbox"/> Demolition <input type="checkbox"/> Deck <input type="checkbox"/> Shelter <input type="checkbox"/> _____ <input type="checkbox"/> Early Start TOTAL _____	DATE ISSUED _____ PERMIT NO. _____