

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/82503710030?pwd=WXFzaTkwWEExJMHgV0NwM2drY0I2dz09> or by calling 1 (877) 853-5247 (Toll Free) and entering Webinar ID: 825 0371 0030 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, August 20, 2020

TIME: 5:30 P.M

PLACE: Washburn City Hall

AGENDA:

- Call to Order/Roll Call
- Approval of Minutes – July 16, 2020
- Public Hearing
 - Discussion and Recommendation on Conditional Use Application for a Tourist Rooming House at 215 West 4th Street – Rebecca Wygonik, Petitioner
- Discussion & Action on Request to Enlarge a Nonconforming Garage, 424 Hillside Drive – Darryl Fenner Petitioner
- Continued Discussion on Accessory Structures and Considerations for Agricultural Use.
- Adjourn

July 16, 2020

CITY OF WASHBURN PLAN COMMISSION MEETING

5:38pm Washburn City Hall & Remote Video Conferencing

COMMISSION MEMBERS: Dave Anderson, John Gray, Leo Ketchum-Fish, Mary Motiff, Britt Serrine, Adeline Swiston, John Baregi

ABSENT:

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 – June 23, 2020 – Moved by Swiston to approve the minutes of June 23, 2020 second by Ketchum-Fish. Motion carried with Baregi abstaining.

Public Hearing - Motion by Swiston to open the floor to the public hearing, second by Baregi. Motion carried unanimously.

No public comment

Moved by Anderson, second by Ketchum-Fish to close floor. Motion carried unanimously.

Discussion and Recommendation on Ordinance No. 20-005 to Amend the City's Subdivision Code Related to the Approval of certified Survey Maps – No discussion

Discussion and Recommendation on Ordinance No 20-007 to Amend the City's Zoning Map to Change Three Parcels from R-6 Mixed Residential to C-2 General Commercial – No discussion

Moved by Gray to recommend approval of amendments to Ordinance No. 20-005 to amend the City's Subdivision Code Related to the Approval of certified survey maps and Ordinance No. 20-007 to amend the City's Zoning Map to change three parcels from R6 mixed residential to C-2 General Commercial, second by Serrine. Motion carried unanimously.

Discussion & Action on Site Plan/Architectural Review for Facade Renovations and Second Story Residential Addition, 308 W. Bayfield Street - Dan & Kristi Doman Petitioners – Dan and Kristi Doman present. Gray moves to approve the site plan and façade renovations made second by Swiston. Discussion held on meeting all the standards required by the code. Motion carried unanimously.

Discussion & Action on Architectural Review to Replace Existing Shingled Roof and Awning with Metal Roofing, 324 W. Bayfield Street – Jared & Amy Trimbo Petitioners – Mr. Trimbo present, and states he miss stated his application, as what he has in accordance to the definition is not an awning but a canopy. After a lot of discussion on the differences between an awning and canopy, it was decided that what Trimbo has is a canopy and not an awning, and that at a future meeting we need to have things clarified in the zoning code. Moved by Anderson to a approve the metal roof replacement, and since we have determined that the front is a canopy and not an awning, he may replace with metal roofing material, second by Gray. Motion carried unanimously.

Discussion & Action on Site Plan Review for Deck Addition, 123 S. 2nd Ave. W. - Emily Systma Petitioner – Leo Ketchum-Fish recuses himself as he is the contractor on this project. This project does meet all requirements and setbacks, she actually did have approval for a 30'x10' deck, but would like to go larger with a 38' x 14'. Moved by Swiston to approve a 38' x 14' deck to the building located at 123 S. 2nd Ave. West, second by Gray. Motion carried unanimously.

Discussion & Action on Request to Place Overhead Doors at 205 E. Omaha St. - Fishnote Properties Petitioner – Leo Ketchum-Fish recused himself as he is the petitioner, but is here for any question. Section 8-193(9) of the zoning code states “Overhead doors shall not face a public street.”. The Plan Commission may permit overhead doors to face a public street, but only when it has made a finding that there is no feasible alternative location for such doors. Consistent with the requirements in Article 7, the Commission may recommend approval of a special exception. Mr. Ketchum-Fish states the door that is currently on it is a larger sliding door, he would like to remove and replace with an overhead door and a service door, this is need as in the winter the snow and ice causes difficulty get the door to slide and be able to use the property. The Commission reviewed article 7, section 7-154(1-8). Gray moved to recommend approval to allow Fishnote Properties install an overhead door on their garage at 205 E. Omaha St., second by Swiston. Motion carried unanimously.

Discussion & Action on Sign Permit, 211 W. Bayfield Street - Booking Sly LLC Petitioner – Petitioner is not asking to change the dimensions of the current sign only the text. He will use a vinyl wrap that will go over the existing sign with white back, black letters and gold trim. Moved by Ketchum-Fish to approve the sign permit for Booking Sly LLC at 211 W. Bayfield St., second by Gray. Motion carried unanimously.

Discussion & Action on Façade Loan Reimbursement Claim for Project Located at 100 W. Bayfield Street – John Sopiwnik, Petitioner – Short discussion held. Moved by Baregi to approve the payment request of \$12,771.52 to John Sopiwnik, second by Ketchum-Fish. Motion carried unanimously.

Final Review and Recommendation on Municipal Land Sale List – Gray moved to go ahead with the Commissions original recommendation to place Lot #19 on the land sale list for development, second by Anderson. Motion carried unanimously.

Discussion and Recommendation on Ordinance No. 2-006 to Amend the City’s Zoning Code to Update the City’s Regulation of Yard Sheds Chapter 13, Article 8, Section 554 and Appendix B – Discussion held in relation to number of accessory structures allowed on larger lots, it was decided that this discussion should be taken up at another meeting. Moved by Ketchum-Fish to recommend approval of Ordinance No 2-006 to amend the City’s Zoning Code to update the City’s regulation of yard sheds chapter 13, Article 8, Section 554 and Appendix B, second by Gray. Motion carried unanimously.

Continued Discussion on Accessory Structures and Considerations for Agricultural Use and Animals – as discussed briefly above, Commission member Ketchum-Fish would like to have a more detailed discussion on allowing more accessory buildings based on the lot size. This will be discussed further at a future meeting. No discussion on animals.

Adjourn – Motiff adjourns the meeting at 6:02pm

Respectfully Submitted,
Tammy L. DeMars
Treasurer/Deputy Clerk

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
Re: Proposed Enlargement of Non-Conforming Structure
Date: August 13, 2020

Darryl Fenner has applied for a permit to remodel and expand an existing garage. This property located at 424 Hillside Drive currently has a house with an attached garage, a second detached garage with a carport and woodshed attached to it, the second garage is considered a nonconforming structure, as only one garage is allowed in the R-2 Zoning District. Mr. Fenner would like to remove the carport and woodshed from the second garage and expand the existing building by 770 sq. ft.

Article 21, Section 21-4 Nonconforming structures (a) states a valid nonconforming structure may be used for any conforming use and (b) states 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, Division 22, section 7-431 A nonconforming building with a conforming use may be expanded in compliance with all requirements of the zoning code and with the procedures and requirements of this division.

7-434 Outlines the factors that the Plan Commission should consider when making their decision.

- 1) The degree of the existing nonconformity
- 2) The size and configuration of the lot
- 3) Whether the lot conforms to the dimensional standards of the zoning district in which it is located
- 4) The size and location of the existing nonconforming building
- 5) The size and location of other existing structures and these structures reasonably anticipated on the lot
- 6) The impact, if any, that the expansion may have on adjoining properties
- 7) Whether the proposed expansion would violate the intent of this chapter, 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.

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 Darryl Fenner E-Mail dscarters@charter.net
 Construction Contractor Larry Newugo Phone 715-373-2960
 Address 26835 N. Maple Hill Rd Washburn License # None
 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 424 Hillside Dr Pin # 04-291-2-49.04.32.204.000.16000
 RE Tax ID # 32540 Zoning District R2 Lot Area 239x280 1.54Ac

Description of work Remodel & expansion of an existing garage, including siding, 3 garage doors & 1 entry door. New roof. Removal of existing car port & wood shed. Expansion will raise height of garage by 6 ft & increase garage area by 770 sq ft. Estimated Project Cost \$25,000

<p>NEW CONSTRUCTION</p> <p>Building Height <u>20 ft</u></p> <p><input checked="" type="checkbox"/> 1-story <input type="checkbox"/> Other _____ <input type="checkbox"/> 2-story <input type="checkbox"/> Basement _____</p>	<p>Area Involved</p> <p>Basement _____ sq ft Living Area _____ sq ft Garage <u>770</u> sq ft Total <u>770</u> sq ft</p>	<p>Water & Sewer:</p> <p>Water <input type="checkbox"/> Municipal or <input type="checkbox"/> Private Well Sewer <input type="checkbox"/> Municipal or <input type="checkbox"/> Septic 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.

Applicant Signature  Date 7/8/20

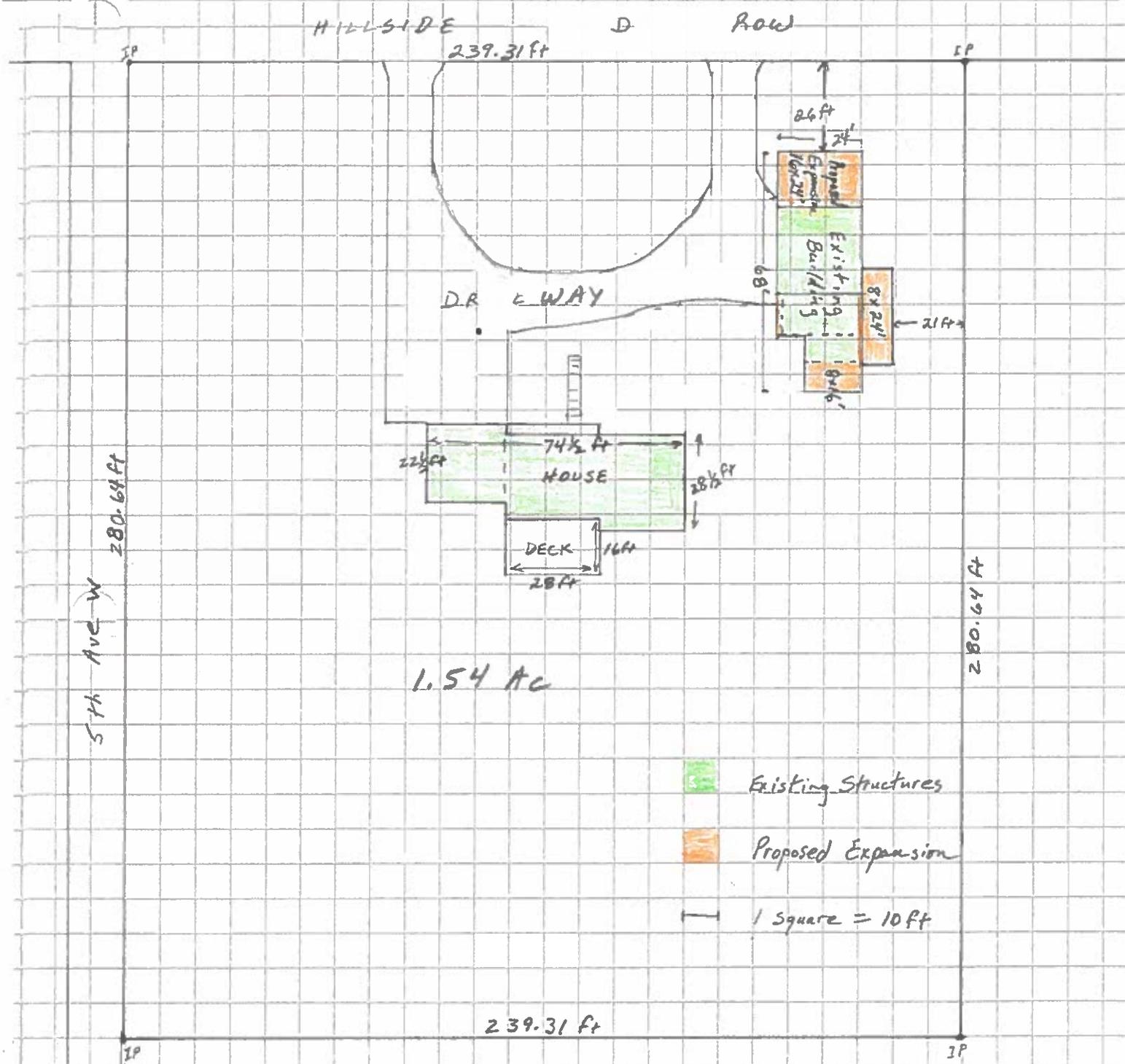
CONDITIONS OF APPROVAL This permit is issued pursuant to the following conditions. Failure to comply with these conditions may result in suspension or revocation of this permit or other penalty.

See Attached Condition Letter

<p>NOTES</p>	FEES (per Title 15 Municipal Code)		<p>PERMIT ISSUED BY:</p> <p>DATE ISSUED _____</p> <p>PERMIT NO. _____</p>
	<p><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</p>	<p><input type="checkbox"/> Demolition <input type="checkbox"/> Deck <input type="checkbox"/> Shelter <input type="checkbox"/> _____ <input type="checkbox"/> Early Start</p> <p>TOTAL _____</p>	

SITE PLAN

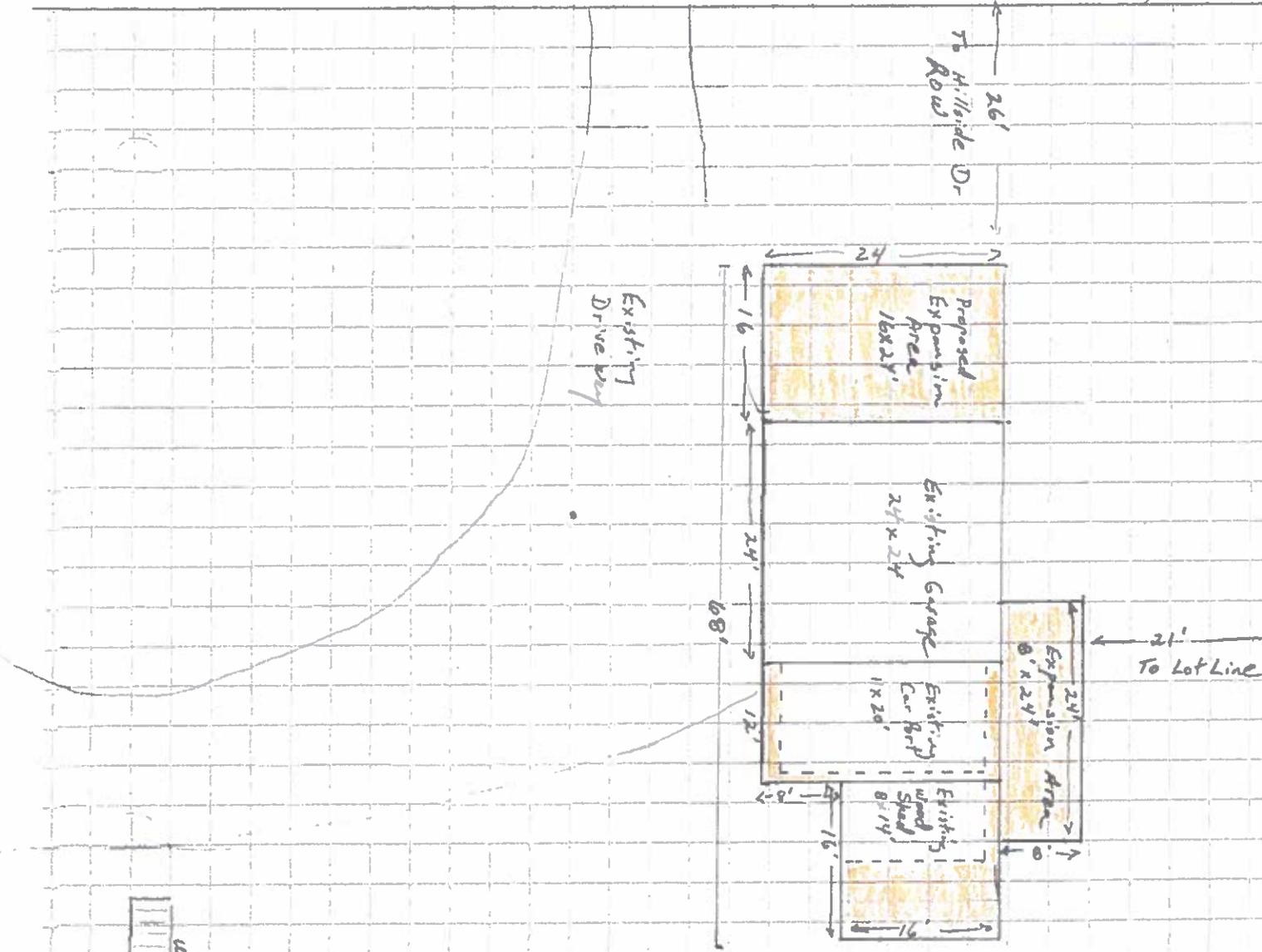
424 HILLSIDE DR



1.54 AC

- Existing Structures
- Proposed Expansion
- 1 Square = 10 ft

Front yard setback is 26 ft.
 Side yard setback is 21 ft.
 Rear yard setback is 185 ft.
 Building Height is 19 ft Existing house is 23 ft.
 Building Coverage is (House 1937 sqft, Garage expansion 1504 sqft)
 Total 3441 sqft. 5.1% of total property
 10711 sqft. 100% of site



Expansion Areas
1 square = 4'

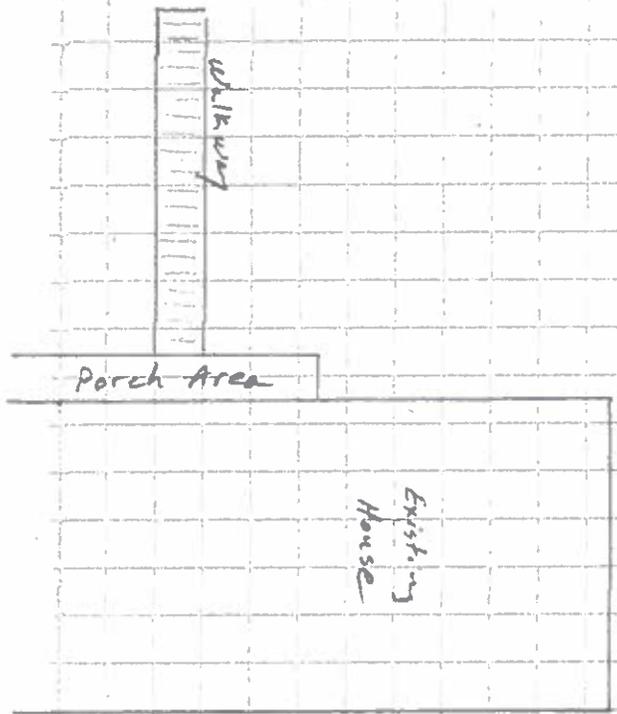
Renovate/Expand Car Port Area from 11x20' to 12x24'

Renovate/Expand Wind Shed Area from 8x14' to 16x16'

Additions
Bump out on back of shed 8x24'

Expand toward street adding 16x24' area

Entire building is 1504 sq ft

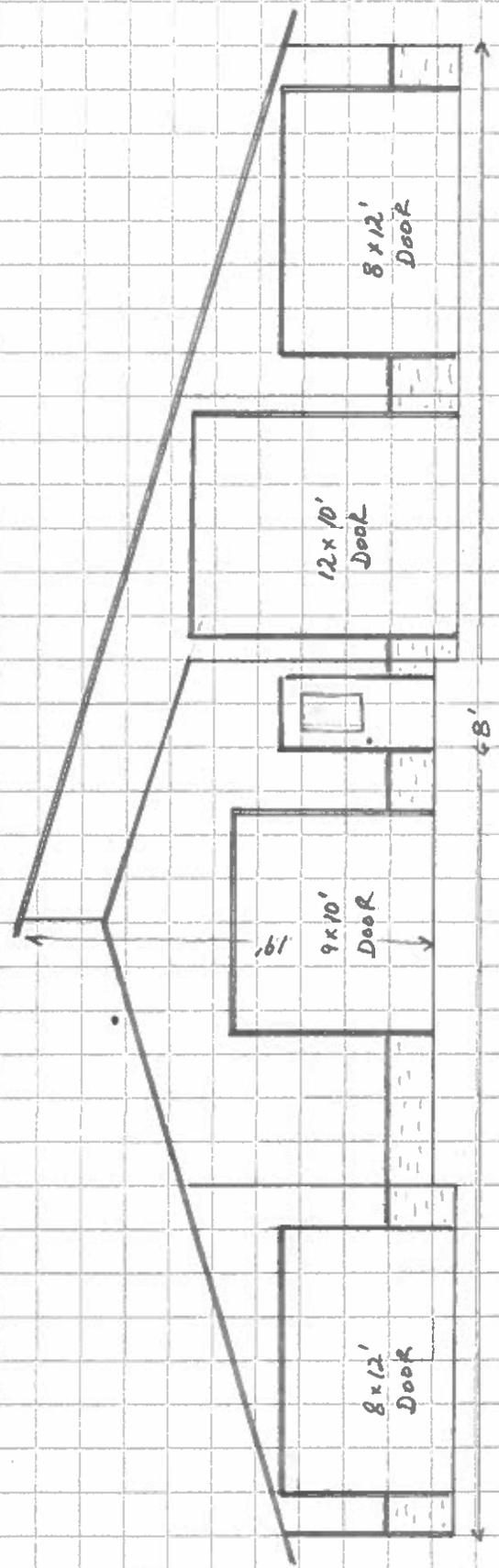


FRONT ELEVATIONS

Existing Structure



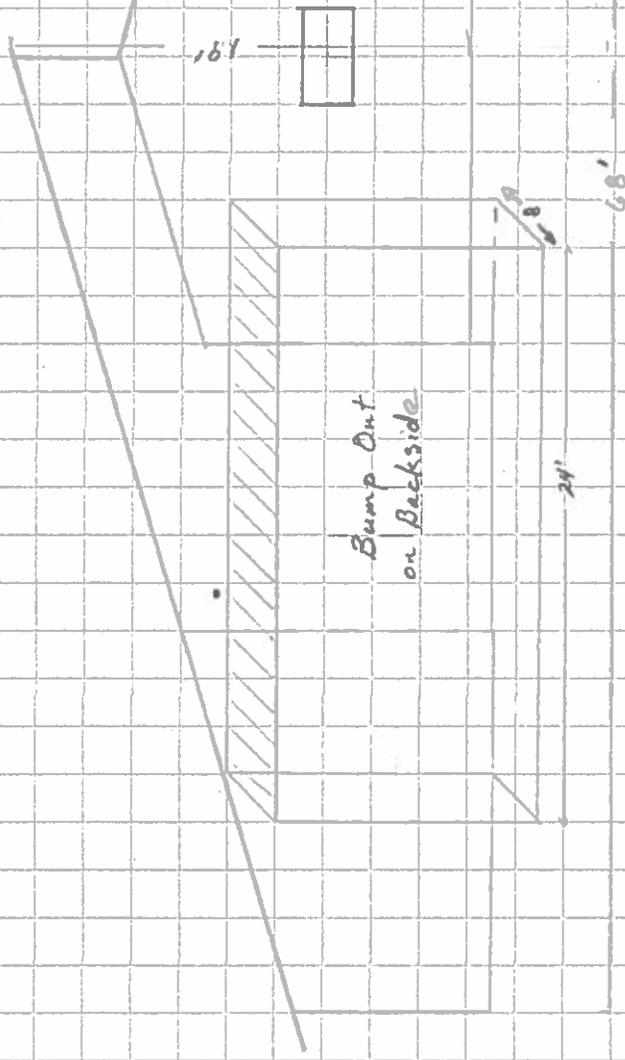
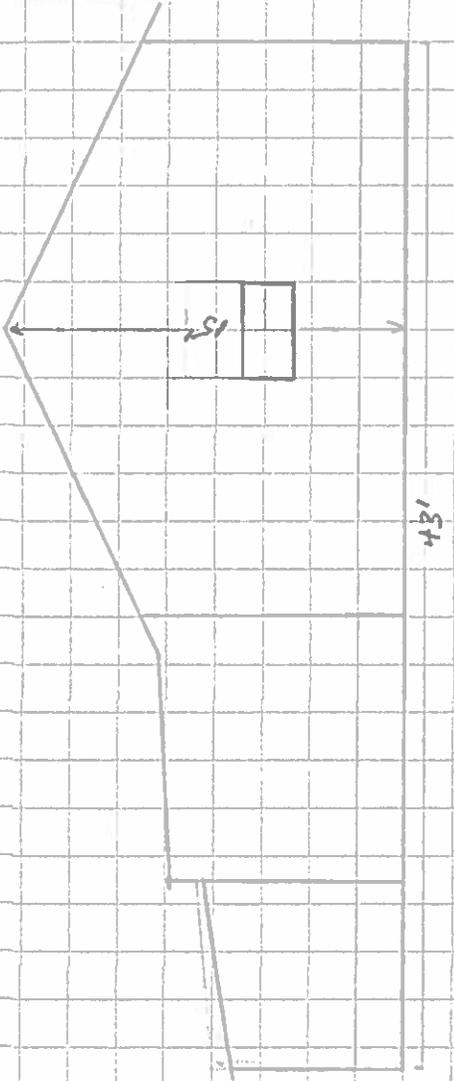
Proposed Structure



1 square = 2 ft

BACK ELEVATIONS

Existing Structure



Proposed Back side Elevation

1 square = 2 ft



04/25/2009



8/13/2020, 9:30:35 AM

- | | | | |
|--------------------|--------------------------------|---------|--|
| Ashland Co Parcels | Approximate Parcel Boundary | State | Recorded Map |
| Douglas Co Parcels | Section Lines | County | Corner Tie Sheets |
| Rivers | Government Lot | Town | Section Corner Monument on File |
| Lakes | Municipal Boundary | CFR | Section Corner Monument Referenced on Survey |
| Tie Lines | Red Cliff Reservation Boundary | Private | Building Footprint 2009-2015 |
| | | | Changed |

21-4 Nonconforming structures

(a) **Generally.** A valid, prior nonconforming structure (herein after nonconforming structure) may be used for any conforming use.

(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.

(c) **New foundation/basement.** The placement of a new foundation or basement under an existing nonconforming structure that is not located in the 100-year floodplain is permitted provided the foundation or basement does not extend beyond the vertical extent of the existing exterior wall.

(d) **Unsafe conditions.** Nothing in this article shall preclude the building inspector or any other city official from initiating remedial or enforcement actions when a nonconforming structure is declared unsafe or presents a danger to the public health, safety, or welfare; constitutes a public nuisance; or is in violation of any licensing regulation.

(e) **Ordinary repair and maintenance, and remodeling.** Nothing in this article shall be deemed to prohibit or limit based on cost, the repair, maintenance, renovation, or remodeling of a nonconforming structure.

(f) **Reconstruction following damage.** A nonconforming structure that is damaged by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation on or after March 2, 2006, may be restored to its condition (e.g., size, location, and use) prior to the damage, except the structure may be larger when necessary to comply with state or federal requirements.¹

(g) **Relocation.** A nonconforming structure shall not be moved or relocated to any other location on the lot unless such structure is made to conform to all regulations of the zoning district in which it is located.

21-5 Nonconforming uses

(a) **Generally.** A valid, prior nonconforming use (herein after nonconforming use) may continue to exist so long as it remains otherwise lawful, subject to the provisions in this section.

(b) **Cessation of use.** If a nonconforming use ceases for any reason, whether intentional or otherwise, for more than 12 continuous months, such use shall not thereafter be reestablished.² A business of a seasonal nature shall not be deemed to be discontinued during periods in which it is normally inactive (e.g., marinas, summer camps). If the zoning administrator determines that a nonconforming use has ceased to operate for more than the aforementioned time period, he or she shall initiate the process established under Article 7 to terminate the nonconforming use. However, if a temporary structure houses a nonconforming use, such use shall terminate when the temporary structure is removed.

(c) **Change in extent.** Except as may be provided in this article or in state law, a nonconforming use shall not be enlarged, increased, or expanded and shall not occupy a greater area than what existed on the effective date of this chapter or any amendment thereto that created the nonconforming use.

(d) **Limitation on structural alterations to structure housing nonconforming use.** Structural alterations to a structure housing a nonconforming use shall not exceed, on an accumulative percentage basis, 50 percent of the equalized assessed value of such structure.³ For example, if a property owner makes structural alterations, the cost of which equals 40 percent of the current equalized assessed value of the structure, any additional structural alterations are limited to 10 percent of the equalized assessed value at the time of the work.

(e) **Damage to structure housing nonconforming use.** If a structure housing a nonconforming use is damaged beyond 50 percent of its present equalized assessed value, such nonconforming use shall not be reestablished.

(f) **Change of location.** A nonconforming use shall not be moved in whole or in part to any other portion of the lot or to another structure than what was occupied on the effective date of this chapter or any amendment thereto that created the nonconforming use.

(g) **Casual, occasional, accessory, or incidental use.** Casual, occasional, accessory, or incidental use after the primary nonconforming use has terminated, shall not be deemed to perpetuate a nonconforming use.⁴

¹ Commentary: See s. 62.23(7)(h), Wis. Stats.

² Commentary: See s. 62.23(7)(h), Wis. Stats.

³ Commentary: See s. 62.23(7)(h), Wis. Stats.

⁴ Commentary: See *Village of Menominee Falls v. Veirstahler*, 183 Wis. 2d 96, 515 N.W.2d 290 (Ct. App. 1994).

- (2) a description of the proposed conversion,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
- (5) a statement that the decision may be appealed as provided for in this division,
- (6) other information the Common Council or zoning administrator deems appropriate,
- (7) the signature of the zoning administrator on behalf of the Common Council, and
- (8) the date of the decision.

7-419 Content of conversion order

If the conversion is approved, a conversion order shall be prepared and adopted that contains (i) a description of the subject property's location (e.g., address, tax key number, reference to a parcel in a certified survey map or subdivision plat); (ii) a description of the existing and of the new nonconforming use; (iii) conditions of approval, if any; and (iv) other provisions deemed necessary given the nature of the approval.

7-420 Effect of approval

If the Common Council approves the conversion, such approval shall run with the land and is binding on all subsequent property owners.

7-421 Expiration of an approval

If the zoning administrator determines that substantial work as authorized by a conversion approval did not commence within 12 months of the date of approval or if substantial work did commence within 12 months of the date of approval but has not continued in good faith to completion, he or she shall initiate the process to terminate the approval pursuant to Division 18 of this article. Upon written petition and with cause, the zoning administrator may grant a one-time extension not to exceed 6 months.

7-422 Amendment of an approval

Following approval of a conversion, the Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the review procedure in this division. If the proposed change constitutes a major alteration, the review procedure in effect at the time of submittal shall be followed.

7-423 to 7-430 Reserved

**DIVISION 22
EXPANSION OF A NONCONFORMING BUILDING**

Sections

7-431	Generally	7-436	Application form and content
7-432	Initiation	7-437	Content of decision document
7-433	Review procedure	7-438	Effect of decision
7-434	Basis of decision	7-439	Expiration of an approval
7-435	Imposition of conditions		

7-431 Generally

A nonconforming building with a conforming use may be expanded in compliance with all requirements of the zoning code and with the procedures and requirements of this division.

7-432 Initiation

The owner of the subject property may submit an application to expand a nonconforming building with a conforming use.

7-433 Review procedure

The general steps outlined below shall be used in the review of an application to expand a nonconforming building.

- (1) **Pre-submittal meeting.** Before submitting an application, the applicant or the applicant's agent may meet with the zoning administrator to review applicable regulations and procedures and the proposal.
- (2) **Submittal of application materials.** The applicant shall submit a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Common Council.
- (3) **Staff review.** Within 30 calendar days of submittal, the zoning administrator shall either place the matter on the agenda for the meeting at which the matter will be considered allowing for proper public notice or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months to resubmit the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.
- (4) **Staff report preparation and distribution.** The zoning administrator shall prepare a written staff report as described in this division and provide a copy of it to each member of the Plan Commission and the applicant prior to the meeting at which the matter will be considered. The zoning administrator shall also provide a copy to interested people upon request.
- (5) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall place the matter on the meeting agenda of the Plan Commission.
- (6) **Meeting.** Allowing for proper notice, the Plan Commission shall consider the application at a regular or special meeting.
- (7) **Decision.** The Plan Commission shall (i) approve the application, (ii) approve the application with conditions, or (iii) deny the application. The Plan Commission may render its decision at the same meeting the matter was initially considered or at a subsequent meeting, but no later than 40 calendar days after the public hearing unless the applicant agrees to an extension of a specified duration.
- (8) **Preparation of decision document.** Based on the action of the Plan Commission, the zoning administrator shall prepare a decision document consistent with this division.
- (9) **Applicant notification.** Within a reasonable time following the Plan Commission's decision, the zoning administrator shall mail the decision document to the applicant by regular mail.
- (10) **Acceptance by property owner.** If the application is approved, the property owner shall sign the decision document to acknowledge the imposition of such condition or conditions and return the same to the zoning administrator within 6 months of the decision. Prior to the expiration of the previously specified time period, the property owner may submit a petition to the City Clerk requesting an extension and the Common Council may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further action by the City. The decision document shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.
- (11) **Recording of decision document.** The decision document shall be recorded in the Bayfield County register of deeds office when approval is granted.
- (12) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.

7-434 Basis of decision

The Plan Commission in making its decision shall consider the following factors:

- (1) the degree of the existing nonconformity (i.e., 1 foot into the setback or 1 foot from the property boundary line),

- (2) the size and configuration of the lot,
- (3) whether the lot conforms to the dimensional standards of the zoning district in which it is located,
- (4) the size and location of the existing nonconforming building,
- (5) the size and location of other existing structures and those structures reasonably anticipated on the lot,
- (6) the impact, if any, that the expansion may have on adjoining properties,
- (7) whether the proposed expansion would violate the intent of this chapter, 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.

7-435 Imposition of conditions

(a) **Generally.** In approving an expansion of a nonconforming building, the Plan Commission may impose one or more conditions of approval deemed necessary to further the intent and purposes of this chapter. Such conditions, for example, may relate to landscaping, screening, and the maximum size of the building(s), limitations on additional buildings otherwise allowed on the subject property under the applicable zoning district regulations.

(b) **Effect on contracts with another party.** The Plan Commission shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a third party under which the third party is engaging in a lawful use of the property.¹⁵

7-436 Application form and content

The application submittal shall include an application form as may be used by the City and a site plan prepared at a scale of 1" = 20' or other appropriate scale depicting the information listed in Appendix A.

7-437 Content of decision document

(a) **Approval.** If the application for an expansion of a nonconforming building is approved, the decision document shall include the following:

- (1) a statement that the application is approved,
- (2) a description of the use,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) a statement that the applicant may appeal the decision to a court of competent jurisdiction,
- (5) other information the Plan Commission or zoning administrator deems appropriate,
- (6) the signature of the zoning administrator on behalf of the Plan Commission, and
- (7) the date of the decision.

(b) **Denial.** If the application for expansion of a nonconforming building is denied, the decision document shall include the following:

- (1) a statement that the application is denied,
- (2) a description of the use,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
- (5) a statement that the applicant may appeal the decision to a court of competent jurisdiction,
- (6) other information the Plan Commission or zoning administrator deems appropriate,
- (7) the signature of the zoning administrator on behalf of the Plan Commission, and
- (8) the date of the decision.

¹⁵ Commentary: See s. 62.23(7)(gm), Wis. Stats. The City, for example, could not require an applicant to terminate an existing contract with another party that is engaged in a lawful use of the property.

7-438 Effect of decision

If the Plan Commission approves the expansion of a nonconforming building, the approval runs with the land and is binding on all subsequent property owners.

7-439 Expiration of an approval

An approval to expand a nonconforming building shall automatically expire 12 months after the date of issuance unless substantial work has commenced under the permit and continues in good faith to completion. Upon petition and with cause, the zoning administrator may grant a one-time extension not to exceed 12 months provided (i) the permit holder requests the extension prior to the expiration of the permit, (ii) the permit holder clearly demonstrates that circumstances beyond his or her control prevented the start of construction and the continuation of the same, and (iii) the project complies with this chapter in effect at the time the extension is granted.

7-440 to 7-450

**DIVISION 23
ADMINISTRATIVE APPEAL**

Sections

7-451	Generally	7-454	Basis of decision
7-452	Initiation	7-455	Effect of appeal
7-453	Review procedure		

7-451 Generally

Recognizing that there may be situations where a property owner or another party believes that the zoning administrator made an error in administering a zoning code, the state legislature established a mechanism to allow the Zoning Board of Appeals to review alleged administrative errors. This division describes the requirements and procedures for reviewing an alleged administrative error.

7-452 Initiation

Any person aggrieved by a final decision of the zoning administrator may file an appeal with the Zoning Board of Appeals consistent with this division.

7-453 Review procedure

The general steps outlined below shall be used in the review of an administrative appeal.

- (1) **Submittal of appeal.** The applicant shall submit a written appeal to the City Clerk within 30 calendar days of the date of the administrative decision being appealed, unless a different timeframe is established.
- (2) **Notification of appeal.** The City Clerk shall provide a duplicate copy of the appeal to the Zoning Board of Appeals and the zoning administrator.
- (3) **Compilation and submittal of record.** The zoning administrator shall compile a complete and accurate record relating to the action being appealed and transmit it to the Zoning Board of Appeals in a timely manner.
- (4) **Special notice to Department of Natural Resources.** If the administrative appeal relates to a decision relating to the floodplain regulations or shoreland-wetland regulations in this chapter, the zoning administrator shall mail a copy of the application and public hearing notice to the regional office of the Wisconsin Department of Natural Resources at least 10 calendar days before the date of the public hearing.
- (5) **Special notice to parties in interest.** The chairperson of the Zoning Board of Appeals shall give notice for the public hearing to the parties in interest, including the applicant and the zoning administrator.
- (6) **General notice.** The chairperson of the Zoning Board of Appeals shall provide a class 2 public notice and meeting agenda notice consistent with Division 2 of Article 6.

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, ^{SK} Administrator
Re: Wygonik CUP- Tourist Rooming
Date: August 14, 2020

Enclosed you will find the application materials from Rebecca Wygonik (Disruptive Operations LLC) for a Tourist Rooming Conditional Use Permit (CUP) for the property located at 215 W. 4th 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 will also be needed for the CUP to be valid. If there are only one or two bedrooms within the home that will be used for tourist rooming, there will be adequate off-street parking to accommodate.

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. Wygonik will be the agent for the property and residing there as well. 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 Disruptive Operations, LLC (hereinafter User), in respect to property currently zoned R-6 Mixed Residential District, herein referred to as Subject Property, described as:

Street Address: 215 West 4th Street

Legal Description: VAUGHN & AUSTRIAN ADDITION TO TOWNSITE OF WASHBURN LOT 15 BLOCK 19 IN DOC 2019R-578837 1647

Tax ID: 33713 **PIN:** 04-291-2-49-04-32-3 00-303-11600

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, two 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. Rebecca Wygonik 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.

Disruptive Operations, LLC - Rebecca Wygonik, Member

Date

Personally came before me this ____ day of _____, 2020, the above-named Rebecca Wygonik, 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 _____, 2020, 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 _____, 2020, 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: _____



7/25/2020

RE: Conditional Use Permit Application for 215 W 4th St, Washburn WI

I plan to live at the 215 W 4th St residence and operate as a tourist rooming house.

To address ordinance 7-55:

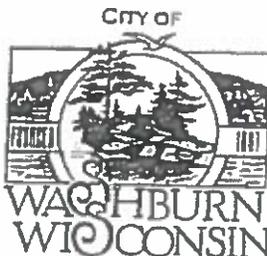
- (1) The parcel at 215 West 4th Street is on .11 acres.
- (2) The property is compatible with its current use as a single family dwelling upon approval of this conditional use permit.
- (3) The property will operate as a tourist rooming house within the same area of its current use as a primary residence.
- (4) Guests will not affect any traffic safety or add to traffic congestion due to adequate off street parking located on the property. This parking is located on the alley side of the property with unobstructed ingress and egress and will be posted as guest parking. House rules will limit visiting vehicles to the existing parking spaces and shall not exceed existing number of spaces. Pedestrian circulation will not be hindered by on street parking because of designated guest parking in the rear of the property away from existing pedestrian walkways.
- (5) The proposed use is well suited for and will be marketed to small families looking to enjoy our area's natural beauty and patron our local businesses. The property is located a few blocks from the downtown area making it easily accessible by foot, bike, and any other chosen mode of transportation.
- (6) The proposed use will not affect the natural environment beyond existing normal residential use.
- (7) All guests will adhere to strict house policies in accordance with city statutes and ordinances especially when pertaining to noise ordinances. Immediate neighbors have already been notified of this proposed use and have given verbal consent.
- (8) The proposed use will not affect or be adverse to anything mentioned in section (8) or (9).

Thank you for your consideration,



Rebecca Wygonik

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



715-373-61
715-373-61
FAX 715-373-61

APPLICATION FOR CONDITIONAL USE PERMIT

(Zoning Code 13-7-51 through 62)

Name: Rebecca Wygonik Initial Application Amendment/Renewal

Physical and Mailing Address of Applicant: 215 W 4th St, Washburn WI 54891. PO Box 273, Washburn WI 54891

Telephone Number: 715-209-3248 E-mail: disruptiveoperations@gmail.com

Address/Description of Permit Property: 215 W 4th St, Washburn WI 54891

Requested Conditional Use: Tourist Rooming House Zoning District: R-6

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. PAULA JUNG, 211 W 4TH ST, WASHBURN, WI, 54891
NICHOLAS & BRITTANY KUKA, 217 W 4TH ST, WASHBURN, WI, 54891
2. MICHAEL & MELISSA GUSTAFSON, 227 W 4TH ST, WASHBURN, WI, 54891
KEVIN SMITH, PO BOX 394, WASHBURN, WI, 54891
3. JANE ALSTON, 18193 BLUE RIDGE DR, SANTA ANA, CA, 92705
MYRON & STEPHANIE BASINA, 421 WASHINGTON AVE, WASHBURN, WI, 54891
4. KAREN NASELIUS, 883 STATION ST, HERNDON, VA, 20170
AMY DAY, 212 WEST 4TH ST, WASHBURN, WI, 54891
5. REBECCA GEYER, 216 W 4TH ST, WASHBURN, WI, 54891
PATRICIA KARKER, 503 18TH AVE W, ASHLAND, WI, 54806
SCOTT & AMANDA KOCH, 228 W 4TH ST, WASHBURN, WI, 54891

Kathy Hoffman P.O. Box 143 Washburn
Jodi Supanich 103 Williamson Rd. Washburn WI 54891-3410

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: Betsy Wyzinski Date: 7/21/2020

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: _____

Date of Public Hearing: _____

Dates of Publication/Mailing: _____

Recommendation of Plan Commission: _____

Approval by Council: _____

CITY OF WASHBURN

PO BOX 638

WASHBURN, WI 54891

Receipt Nbr: 30018

Date: 7/22/2020

Check

RECEIVED
FROM

DISRUPTIVE OPERATIONS, LLC

\$150.00

Type of Payment

Description

Amount

Accounting

Account Nbr: 100-00-44400-000-000

150.00

ZONING PERMITS

CONDITIONAL USE PERMIT-215 W 4th ST

TOTAL RECEIVED

150.00

exceed 4 years. In the event the Common Council rescinds an approval, the Common Council shall at that time reclassify undeveloped lands in the district based on the zoning regulations in effect at that time. Developed portions of the planned development district may either be allowed to retain the planned development district designation or reclassified based on the zoning regulations in effect at that time.

7-38 to 7-50 Reserved

**DIVISION 3
CONDITIONAL USE**

Sections

7-51	Generally	7-58	Staff report content
7-52	Applicability	7-59	Content of decision document
7-53	Initiation	7-60	Effect of approval
7-54	Review procedure	7-61	Expiration of an approval
7-55	Basis of decision	7-62	Amendment of an approved conditional use
7-56	Imposition of conditions		
7-57	Application form and content		

7-51 Generally

Although each zoning district is primarily intended for a predominant type of land use, there are a number of uses that may be appropriate under certain conditions. These are referred to as conditional uses. This division describes the requirements and procedures for reviewing a conditional use, including an amendment of an approved conditional use.

7-52 Applicability

Those land uses designated as conditional uses in the land-use matrix (Exhibit 8-1) must comply with the requirements in this division.

7-53 Initiation

The owner of the subject property may submit an application for the establishment of a conditional use.

7-54 Review procedure

The general steps outlined below shall be used in the review of an application for a conditional use.

- (1) **Pre-submittal meeting.** Before submitting an application, the applicant or the applicant's agent shall meet with the zoning administrator to review (i) applicable regulations and procedures, (ii) applicable sections of the City's comprehensive plan, and (iii) the proposal. Upon request, the zoning administrator may waive the requirement to hold a pre-submittal meeting when he or she determines such meeting is not necessary given the nature of the project and/or the extent to which the applicant understands the City's zoning requirements.
- (2) **Submittal of application materials.** The applicant shall submit a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Common Council.
- (3) **Staff review.** Within 30 calendar days of submittal, the zoning administrator shall either schedule a date for the public hearing with the Plan Commission allowing for proper public notice or make a determination that the application is incomplete and notify the applicant of any deficiencies. If the application is incomplete, the applicant has 3 months to complete the application or forfeit the application fee. The zoning administrator shall take no further steps to process the application until the deficiencies are remedied. The incomplete application shall be retained as a public record.

- (4) **Special notice to Department of Natural Resources.** If the application relates to the floodplain regulations in this chapter, the zoning administrator shall send a copy of the application and public hearing notice to the regional office of the Wisconsin Department of Natural Resources at least 10 calendar days before the date of the public hearing.
- (5) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall provide for a class 2 public notice, property owner notice, and meeting agenda notice.
- (6) **Staff report preparation and distribution.** The zoning administrator shall prepare a written staff report as described in this division and provide a copy of it to each member of the Plan Commission, the applicant, and any other interested person upon request.
- (7) **Public hearing.** Allowing for proper notice, the Plan Commission shall conduct a public hearing to review the application consistent with Division 3 of Article 6. Prior to the close of the public hearing, the applicant or the Plan Commission may request a continuance consistent with Division 3 of Article 6. If a continuance is granted, the Plan Commission may direct the zoning administrator to conduct additional research.
- (8) **Staff follow-up.** If the Plan Commission does not render a decision immediately following the public hearing, the Plan Commission may direct the zoning administrator to prepare a preliminary decision document.
- (9) **Recommendation.** After considering all of the information submitted by the applicant, public comments received at the public hearing, and the staff report, the Plan Commission, no more than 40 calendar days after the public hearing, shall make a recommendation to the Common Council based on the decision criteria contained in this division to (i) approve the conditional use, (ii) approve the conditional use with conditions, or (iii) deny the conditional use.
- (10) **Transmittal of recommendation.** If the Plan Commission action is favorable, the zoning administrator shall prepare a draft decision document effectuating its determination. If the Plan Commission action is not favorable, the Plan Commission shall report its determination to the Common Council including its reasons for denial.
- (11) **General notice.** Consistent with Division 2 of Article 6, the zoning administrator shall place the matter on the meeting agenda of the Common Council.
- (12) **Common Council meeting.** Allowing for proper notice, the Common Council shall consider the application at a regular or special meeting.
- (13) **Decision.** After considering all of the information submitted by the applicant, public comments received at the public hearing, the staff report, and the Plan Commission's recommendation, the Common Council shall make a decision based on the decision criteria contained in this division to (i) approve the conditional use, (ii) approve the conditional use with conditions, or (iii) deny the conditional use. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in this chapter or imposed by the city, the city shall grant the conditional use permit. The applicant must demonstrate by substantial evidence that the application and all requirements and conditions established by the city are or shall be satisfied. The decision to approve or deny the permit must be based on substantial evidence.
- (14) **Preparation of final decision document.** Based on the action of the Common Council, the zoning administrator shall prepare a final decision document consistent with this division.
- (15) **Applicant notification.** Within a reasonable time following the Common Council's decision, the zoning administrator shall mail the decision document to the applicant by regular mail.
- (16) **Notification to Department of Natural Resources.** If the application relates to the floodplain regulations in this chapter, the zoning administrator shall mail a copy of the decision document to the regional office of the Wisconsin Department of Natural Resources within 10 calendar days of the date of decision.
- (17) **Acceptance by property owner.** If the application is approved, the property owner shall sign the decision document to acknowledge the terms of the approval and return the same to the zoning administrator within 6 months of the decision. Prior to the expiration of the previously specified time period, the property owner may submit a petition to the City Clerk requesting an extension and the Common Council may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further action by the City. The decision document

shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.

- (18) **Public record copy.** A duplicate copy of the decision document shall be retained as a public record.
- (19) **Recording of decision document.** If the property owner returns the decision document within the required time period with the required signatures, the zoning administrator shall record the decision document against the subject property in the office of the Bayfield County register of deeds.
- (20) **Administrative steps.** If the conditional use is approved and the zoning administrator has created a map showing conditional uses, the zoning administrator shall add the conditional use to that map.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

7-55 Basis of decision

(a) **Generally.** When reviewing conditional uses other than nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall consider the following factors:

- (1) the size of the parcel on which the proposed use will occur;
- (2) the presence of and compatibility with other uses on the subject property, if any;
- (3) the location of the proposed use on the subject property (e.g., proximity of the proposed use to other existing or potential land uses);
- (4) effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site;
- (5) the suitability of the subject property for the proposed use;
- (6) effects of the proposed use on the natural environment;
- (7) effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances;
- (8) effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district and adjoining districts; and
- (9) any other factor that relates to the purposes of this chapter set forth in s. 1-5 or as allowed by state law.

(b) **Nonconforming conditional uses.** When reviewing nonconforming conditional uses, the Plan Commission in making its recommendation and the Common Council in making its decision shall make the following determinations:

- (1) The nonconforming use will not be adverse to the public health, safety, or welfare.
- (2) The nonconforming use is in keeping with the spirit and intent of this chapter.
- (3) The nonconforming use would not be otherwise detrimental to the area and in particular the surrounding properties.

The Common Council shall grant approval for a nonconforming conditional use only if the council can make an affirmative finding for all of the criteria listed in this subsection.

(c) "Substantial evidence" as used in this Article means facts and information, other than mere 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.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

7-56 Imposition of conditions

(a) **Generally.** The Plan Commission may recommend and the Common Council may impose one or more conditions of approval as may be necessary to grant approval. Such conditions and restrictions may relate to the establishment, location, construction, maintenance, operation of the use, off-site impacts, and any other aspect of the use that impacts the public health, safety, or general welfare. Conditions as to the permit's duration, transfer, or renewal may also be included. All conditions must be reasonable and, to the extent practicable, measurable. Any condition imposed must be related to the purpose of the evidence and be based on substantial evidence.

(b) **Condition may not lessen any requirement.** A condition of approval shall not lessen a development standard or other requirement contained in this chapter.

(c) **Special consideration for solar panels.** In those instances where a solar panel is classified as a conditional use, the reviewing authority may impose one or more conditions of approval, provided the condition satisfies one of the following:

- (1) The condition serves to preserve or protect the public health or safety.
- (2) The condition does not significantly increase the cost of the system or significantly decrease its efficiency.
- (3) The condition allows for an alternative system of comparable cost and efficiency.⁶

(d) **Effect on contracts with another party.** The Common Council shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a third party under which the third party is engaging in a lawful use of the property.⁷

(e) **Special condition for business as property owner.** As a condition of approval of a conditional use, the property owner if it is a business entity, such as a limited liability company or a corporation, shall for the life of the conditional use continuously maintain a registered office and registered agent in the state of Wisconsin as evidenced by registration with the Wisconsin Department of Financial Institutions.

Amendment(s):

1. Ordinance 18-001, adopted April 9, 2018

7-57 Application form and content

The application submittal shall include an application form as may be used by the City and a project map prepared at an appropriate scale depicting the information listed in Appendix A.

7-58 Staff report content

The staff report shall contain preliminary findings for the decision criteria listed in this division and other information deemed appropriate.

7-59 Content of decision document

(a) **Approval.** If the application for a conditional use is approved, the decision document shall include the following:

- (1) a statement that the application is approved,
- (2) a description of the conditional use,
- (3) a description of where the conditional use will occur on the property,
- (4) reasons for the decision based on the criteria listed in this division,
- (5) a list of conditions of approval that must be satisfied prior to the establishment of the conditional use or complied with during the life of the conditional use, or both,

⁶ Commentary: See s. 66.0401(1m), Wis. Stats.

⁷ Commentary: See s. 62.23(7)(gm), Wis. Stats. The City, for example, could not require an applicant to terminate an existing contract with another party that is engaged in a lawful use of the property.

- (6) a statement indicating that the property owner must sign the decision document and return it to the zoning administrator to acknowledge acceptance of the same,
- (7) a statement that the applicant may appeal the decision to the Zoning Board of Appeals,
- (8) a statement that an aggrieved person, other than the applicant, may appeal the decision and that any work done by the applicant as authorized by the approval is done at the applicant's risk,
- (9) a statement indicating the nature of the approval (i.e., personal to the property owner or runs with the land),
- (10) other information the Common Council or zoning administrator deems appropriate,
- (11) the signature of the zoning administrator on behalf of the Common Council, and
- (12) the date of the decision.

(b) **Denial.** If the application for a conditional use is denied, the decision document shall include the following:

- (1) a statement that the application is denied,
- (2) a description of the project, including acreage and proposed use characteristics,
- (3) reasons for the decision based on the criteria listed in this division,
- (4) a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
- (5) a statement that the decision may be appealed as provided for in this division,
- (6) other information the Common Council or zoning administrator deems appropriate,
- (7) the signature of the zoning administrator on behalf of the Common Council, and
- (8) the date of the decision.

7-60 Effect of approval

Unless otherwise specified in the conditional use order, approvals are personal to the property owner meaning the approval automatically lapses when the property owner ceases to own the property.

7-61 Expiration of an approval

(a) **Non-establishment of use.** If the zoning administrator determines that substantial work as authorized by a conditional use approval did not commence within 12 months of the date of approval or if substantial work did commence within 12 months of the date of approval but has not continued in good faith to completion, he or she shall initiate the process to terminate the approval pursuant to Division 18 of this article. Upon written petition and with cause, the zoning administrator may grant a one-time extension not to exceed 6 months provided (i) the permit holder requests the extension prior to the expiration of the approval, (ii) the permit holder clearly demonstrates that circumstances beyond his or her control prevented the start of construction and the continuation of the same, and (iii) the project complies with this chapter in effect at the time the extension is granted.

(b) **Cessation of use.** If the zoning administrator determines that a conditional use has ceased to operate for any reason, whether intentional or otherwise, for more than 12 continuous months, he or she shall initiate the process to terminate the approval pursuant to Division 18 of this article.

7-62 Amendment of an approved conditional use

Following approval of a conditional use, the Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the review procedure in this division. If the proposed change constitutes a major alteration, the review procedure in effect at the time of submittal shall be followed.

7-63 to 7-70 Reserved

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, August 20, 2020, 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 215 West 4th Street – Rebecca Wygonik, 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 – August 1, and 8, 2020
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

CITY OF WASHBURN
NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the Plan Commission on, Thursday, August 20, 2020, 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 215 West 4th Street. Rebecca Wygonik, 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

As required by ordinance, copy mailed to property owners within 150 feet of the subject property.

NOTICES MAILED FIRST CLASS MAIL 07/23/2020

PAULA JUNG
211 W 4th ST.
WASHBURN, WI 54891

NICHOLAS & BRITTANY KUKA
217 W 4th ST.
WASHBURN, WI 54891

MICHAEL & MELISSA GUSTAFSON
227 W 4th ST.
WASHBURN, WI 54891

KEVIN SMITH
PO BOX 394
WASHBURN, WI 54891

JANE ALSTON
18193 BLUE RIDGE DR.
SANTA ANA, CA 92705

MYRON & STEPHANIE BASINA
421 WASHINGTON AVE.
WASHBURN WI 54891

KAREN NASELIUS
883 STATION ST.
HERNDON, VA 20170

AMY DAY
212 W. 4th ST.
WASHBURN, WI 54891

REBECCA GEYER
216 W. 4th ST.
WASHBURN WI 54891

PATRICIA KARKER
503 18th AVE. W
ASHLAND, WI 54806

SCOTT & AMANDA KOCH
228 W. 4th ST.
WASHBURN, WI 54891

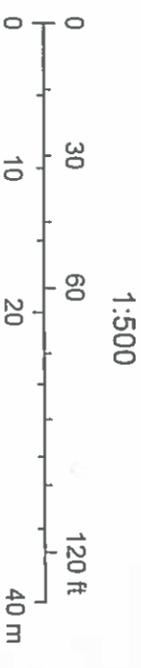
KATHY WOLFRAM
PO BOX 143
WASHBURN, WI 54891

JODI SUPANICH
103 WILLIAMSON RD.
WASHBURN, WI 54891

7/22/2020, 11:23:46 AM



- 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 2009-2015
- Changed
- Demolished





KATHY E WOLFRAM
Tax ID# 33707

JANE M ALSTON
Tax ID# 33708

JANE M ALSTON
Tax ID# 33709

MYRON L & STEPHANIE J BASINA
Tax ID# 33710

LANCE A BITZER
Tax ID# 33294

MICHAEL R & MELISSA A GUSTAFSON
Tax ID# 33717

KEVIN M SMITH
Tax ID# 33715

US BANK TRUST
Tax ID# 33713

US BANK TRUST
Tax ID# 33713

PAULA H JUNG
Tax ID# 33712

JON C NASELIUS
Tax ID# 33711

230 W 4TH ST
SCOTT A & AMANDA B KOGH
Tax ID# 33170

228 W 4TH ST

218 W 4TH ST

216 W 4TH ST

212 W 4TH ST

JODIA SUPANICH
Tax ID# 33174

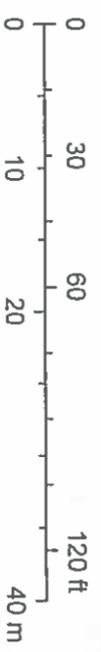
325 N WASHINGTON AVE

AMY M DAY
Tax ID# 33173

7/22/2020, 11:25:28 AM

- 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 2009-2015
- Changed
- Demolished



Bayfield County, Bayfield County Land Records

Background Project Information
 Prepared by: Rebecca Wygonik
 Prepared: 7/22/2020

Survey Information
 215 W 4th St, Washburn
 Lot Size: .11 Acres, 40' x 123'

North

Scale: 1" = 10'
 10 feet

Project Development Information
 Easements/rights-of-ways: None
 Common areas/conservancy areas: None

