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**AGENDA NOTICE (5/14/2024)**

**THE PLANNING COMMISSION OF THE CITY OF EAGLE RIVER WILL HOLD A MEETING ON THURSDAY, JUNE 6, 2024, AT 5:00 P.M. AT CITY HALL, 525 E. MAPLE STREET IN EAGLE RIVER.**

- 1) Call to Order.
- 2) Roll Call.
- 3) Approval of minutes
- 4) **Public Hearings, discussion and possible action on the following agenda item(s):**
  - a) Vertical Bridge communications tower construction project US-WI-5557 Eagle River North at 2110 US Hwy 45. Review under extraterritorial jurisdiction per Chapter 14, Article 1, Sec. 14-1. General. The airspace of the airport extends upward from the surface to the overlying or adjacent federally-controlled airspace and outward in a three-mile radius that includes the entire city. The FAA regulates the size, shape, and general use of this airspace while the state and local airport commission may designate operation areas, traffic patterns, flight elevations, restrictions, and any special procedures within the airspace. The city ordinances controlling the zoning on the airport and its airspace shall be administered by the city zoning office under an extraterritorial authority.
  - b) Nancy Robins is requesting a variance in property set-backs to reduce the (west) front-set-back to 15' in order to erect a screen porch at 639 Hirzel Street, Eagle River, computer number 221-408-01 in accordance with Chapter 106, Article VII, Section 106-561 (b) Zoning Schedule – set-backs for Single Family Residential: Front 20', Corner Street Side 15', Each Side 7', Rear 10', maximum height 30'. The property, zoned as Single Family Residential, is described as: LOT 14 BLK 3 LAKE PARK ADDN.
  - c) Re-scheduling of the July Planning Commission meeting, currently scheduled for July 4<sup>th</sup>.
- 5) **Adjournment**

Robin Ginner, City Administrator

**Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services, or provide a video link for meetings. For additional information to request this service, please contact the City Clerk's Office at 715-479-8682 ext. 224, 525 E. Maple Street, P.O. Box 1269, Eagle River WI 54521.**



May 2, 2024

A meeting of the Plan Commission of the City of Eagle River was called to order at 5:00pm by Kim Schaffer.

Roll Call: Kim Schaffer, Mike Adamovich, Mary Horant and Deb Brown. Mayor Jeff Hyslop was present via Zoom. Also in attendance; Robin Ginner, Becky Bolte, and Chris Dobbs

*Motion by Brown, 2<sup>nd</sup> by Adamovich to approve the minutes of the 3/7/24 meeting as presented. Carried all with Horant abstaining.*

Rotary Square sidewalk modification – Sidewalk addition east from building to First Street, railings across back sidewalk. Kevin McGuire provided a rendering of the requested addition of sidewalks to the back of the Square property for easy access from the rear of the building and to separate the gravel from the turf, along with the safety railing placement on the back of the building. Warner Russell presented the intentions. Two steps were needed on the West Side rear to address elevation and a mini ramp to the East to First Street. AWI (Welding Institute) is doing the safety rail for cost. Brown confirmed with Russell that the installations are all ADA Compliant. Shaffer confirmed this sidewalk would not interfere with City plowing. *Motion by Horant, 2<sup>nd</sup> by Adamovich to recommend to council to approve the addition of sidewalks and railing to the back of the Square building per their modifications with the expense to be covered by the Rotary Club. Carried, all.*

Thad Beversdorf is requesting a conditional use permit to remodel a structure to house a multi-family housing development at 115 S. Third Street, Eagle River, computer number 221-660-02, in accordance with Chapter 106, Article VI, Division 5, Sec 106-414 Uses permitted by conditional grant, (1) Multi-Family Dwellings (3 or more units), and (2) Mixed use developments not qualifying as being permitted by right. The property, zoned as Office Residential, is described as: LOT 2 18CS131 LOTS 7-14 BLK 1 ORIGINAL PLAT EAGLE RIVER PRT NW NE. Ginner presented a conditional use permit application to remodel a structure to house a multi-family housing development from Thad and Lauren Beversdorf, property located at 115 S Third St. (The old Catholic School). Thad Beversdorf provided building plans showing he wishes to convert the upper level of the existing structure to 4-6 one and/or two-bedroom flats with average square footage of around 780 square feet each, from its current use as office space. The lower level will be used for light commercial businesses. Beversdorf is aware that the building is a registered historical building. Beversdorf presented his intention is not to do vacation rentals but would be affordable rentals or for sale, citing the current concerns of shortage of affordable housing. Brown questioned parking spaces with Beversdorf confirming he has purchased the lot behind the building and has the option to purchase area across from the alley. *Motion by Horant, 2<sup>nd</sup> by Brown to recommend to Council to approve issuance of a condition use permit to Beversdorf to remodel a structure to house a multi-family housing development at 115 S Third, parcel number 221-660-02. Carried, all.*

Seating installation in parking stall owned by Hooked & Tagged, 128 S. Railroad Street, Parcel 221-1025-09. Zidek presented the request to install a seating area in their privately owned parking stall, north of the building at 128 S Railroad. Adamovich asked about separation from the adjacent Railroad Street with Zidek stating they intend to create a barrier with chains to posts, planters, and a plastic fence, mimicking what Peanuts Ice Cream has on the corner of Wall and Silver Lake Road. Chief Dobbs spoke to safety concerns in making this change, stating Peanuts has curbs, this space does not and the area adjacent to 128 S Railroad is designed to look like parking. Chief Dobbs also stated concerns about people sitting outside next to moving traffic. Options to define and protect people in the seating area were discussed.

Adamovich to get exact measurements of what the petitioner owns into the parking stalls to bring back to Council. *Motion by Horant, 2<sup>nd</sup> by Adamovich to recommend to Council to approve seating installation in the Zidek owned parking stall at 128 S Railroad on the north side of the building to Sarah Zidek and recommends the installation of a city owned bike rack in the adjacent city owned half parking space to help separate seating area from parking area and contingent on owner providing Council a definitive plan to clearly define and protect the seating area from Railroad Street traffic and for safety issues. Carried, all.*

*Motion by Horant, 2<sup>nd</sup> by Brown to adjourn at 5:40pm.*

Becky J Bolte – Clerk

DRAFT



## NOTICE OF PUBLIC HEARING

Posted 5/14/2024

Vertical Bridge communications tower construction project US-WI-5557 Eagle River North at 2110 US Hwy 45. Review under extraterritorial jurisdiction per Chapter 14, Article 1, Sec. 14-1. General. The airspace of the airport extends upward from the surface to the overlying or adjacent federally-controlled airspace and outward in a three-mile radius that includes the entire city. The FAA regulates the size, shape, and general use of this airspace while the state and local airport commission may designate operation areas, traffic patterns, flight elevations, restrictions, and any special procedures within the airspace. The city ordinances controlling the zoning on the airport and its airspace shall be administered by the city zoning office under an extraterritorial authority. The tower construction project is proposed for 2110 US Highway 45 North, parcel 26-470, described as PRT SW NW, Sect. 15, T40N, R10E.

The City of Eagle River Planning Commission will hold a public hearing to review the request on **Thursday, June 6, 2024 at 5:00 p.m.** located at the Eagle River City Hall, 525 E. Maple Street, Eagle River WI 54521. Comments can be made at the public hearing or by mail to City Administrator, PO. Box 1269, Eagle River, WI 54521; by phone (715) 479-8682 x227 or email [rcginner@eagleriverwi.gov](mailto:rcginner@eagleriverwi.gov). Documents will be available for review at City Hall. PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.

Legal Notice— Extra-territorial Jurisdiction, 2110 US Highway 45 N

Publish twice, weeks of May 19 & May 26  
Affidavit Requested

NOTICE OF PUBLIC HEARING  
CITY OF EAGLE RIVER PLANNING COMMISSION

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**BUELL CONSULTING, INC.**

720 Main Street, Suite 200

Saint Paul, MN 55118

(651) 361-8110

[www.buellconsulting.com](http://www.buellconsulting.com)

Tuesday, April 30, 2024

To: Robin Ginner, City & Zoning Administrator  
525 E. Maple Street  
Eagle River, WI 54521

RE: Vertical Bridge project US-WI-5557 Eagle River North at 2110 US Hwy 45

Dear Robin,

Thank you for the time on the phone last week regarding the County-approved Vertical Bridge tower project north of the City of Eagle River, located at 2110 US Hwy 45, Eagle River, WI 54521. There are a few items we discussed, as follows:

- City's extraterritorial jurisdiction: The City of Eagle River has extraterritorial rights to enforce its land use standards on our project since our project is within two miles of the municipal boundary of the City. -However, below we request that the City consider an alternative review and approval process than what you suggested.
- Eagle River Union Airport Commission Review: You asked me whether the airport commission for the City airport had approved our project. The answer is: not directly. We adhered to the County's ceiling height limit for airspace, and secured both a County approval and an FAA Determination of No Hazard. The Eagle River Union Airport would have been included in the FAA's process to some extent. How exactly the airport's local approval fits into the picture is still a bit fuzzy for me. Our suggested process below includes consideration for the airport commission.
- Whether a second zoning process is allowed under WI law: This is not something we wish to litigate, but we do want to get clear with you about. I know the existence of WI Statute 66.0404 did away with dual jurisdictions when it comes to tower projects. Now, Counties, Cities, and Towns must pick one jurisdiction to control zoning review of the siting of mobile tower structures. Other approvals for building permits, E911 addressing, and driveway/approach permits can be reviewed separately, but there can be only one zoning process. What isn't clear to me is how we rectify this understanding with the City's exertion of its extraterritorial jurisdiction. Perhaps our solution can walk the line well enough.

Our proposed solution:

You and I did not discuss this, so this is new, and it might make sense to have the city attorney weigh in as well upon her or his return later this week, if possible. We wanted to come up with a solution that (i) preserves the City's right of review/consent regarding land use within the extraterritorial zone, (ii) gives the airport commission a chance to also review our project directly (rather than via the FAA), and (iii) but which also respects the time and resources we have outlaid and the approvals we've already secured.

We propose that the City of Eagle River, and outside of a formal zoning process, review the zoning application we submitted to the County, and the County's findings regarding the same, and determine whether there are any issues or concerns. We would expect none since WI Statute 66.0404 places similar limitations on all localities, and similar standards for site design (which we have met). Once you are satisfied with the application contents and the County's approval, we suggest that the City provide a letter of support and compliance to document your independent review and findings regarding the County's approvals. This letter can then be forwarded to the City airport commission for their review. Upon reviewing the City's supporting findings of the County's review and approval of the project, we can likely expect the airport commission to also provide a letter of support. We followed all height limitations published, and secured County and Federal approvals for the airspace. Once both the City and the airport have provided letters of support for our project, we will proceed with construction when we're ready to do so.

With your letters of support in hand (should you be willing to provide them), we won't run afoul of anyone asserting that our construction is illegal. Handling the review and approval of our project in this manner will avoid wasting resources in yet another public process. There was already a public process that gave parties a chance to review and comment on the project. There were no issues. Diligent review and deliberate findings were already completed. We truly feel we needn't go through it again. The City has the prerogative to waive its extraterritorial rights, so performing any review or no review is entirely within your discretion. Let's simplify this together.

Please let us know your thoughts, and what else we can provide to help make this proposal work for you.

Thank you for your time and consideration.

Sincerely,



Scott Buell

Site Development Manager on Behalf of Vertical Bridge

Direct: 651-225-0793


Email: [sbuell@buellconsulting.com](mailto:sbuell@buellconsulting.com)




# Proposed Towers

Write a description for your map.

Legend

 Eagle River Union Airport

 Feature 1

2023-AGL-19505-OE

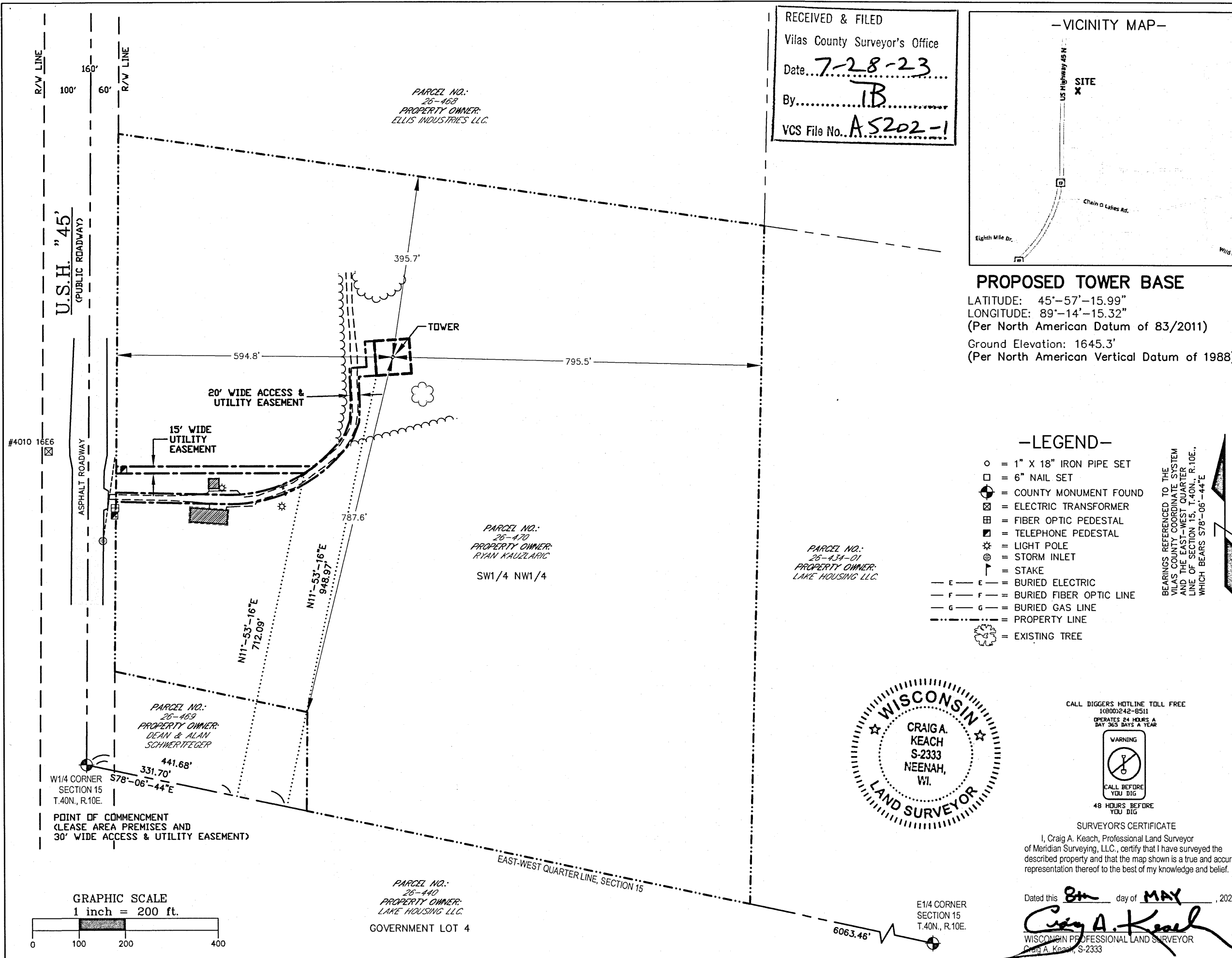
2023-AGL-7267-OE

2023-AGL-6472-OE

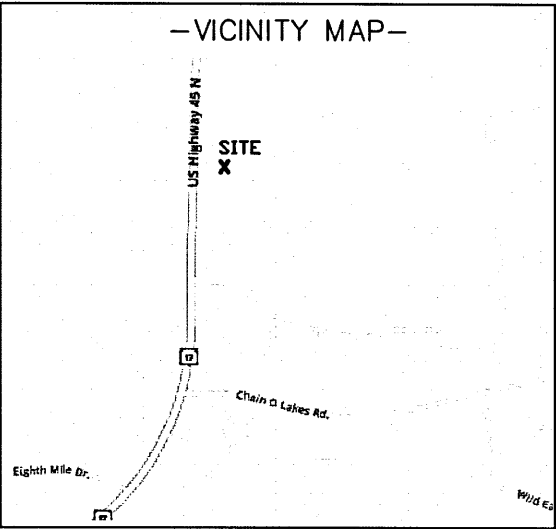
2023-AGL-20114-OE







RECEIVED & FILED  
Vilas County Surveyor's Office  
Date 7-28-23  
By IB  
VCS File No. A5202-1

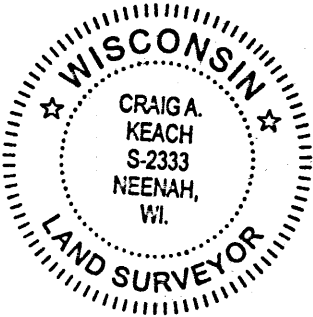


**PROPOSED TOWER BASE**  
LATITUDE: 45°-57'-15.99"  
LONGITUDE: 89°-14'-15.32"  
(Per North American Datum of 83/2011)  
Ground Elevation: 1645.3'  
(Per North American Vertical Datum of 1988)

**-LEGEND-**

- = 1" X 18" IRON PIPE SET
- = 6" NAIL SET
- ⊙ = COUNTY MONUMENT FOUND
- ⊠ = ELECTRIC TRANSFORMER
- ⊞ = FIBER OPTIC PEDESTAL
- ⊡ = TELEPHONE PEDESTAL
- ⊛ = LIGHT POLE
- ⊜ = STORM INLET
- ⊝ = STAKE
- E — = BURIED ELECTRIC
- F — = BURIED FIBER OPTIC LINE
- G — = BURIED GAS LINE
- = PROPERTY LINE
- ⊕ = EXISTING TREE

BEARINGS REFERENCED TO THE  
VILAS COUNTY COORDINATE SYSTEM  
AND THE EAST-WEST QUARTER  
LINE OF SECTION 15, T.40N., R.10E.,  
WHICH BEARS S78°-06'-44"E



CALL DIGGERS HOTLINE TOLL FREE  
1(800)242-8511  
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DAY 365 DAYS A YEAR

WARNING  
CALL BEFORE  
YOU DIG  
48 HOURS BEFORE  
YOU DIG

**SURVEYOR'S CERTIFICATE**  
I, Craig A. Keach, Professional Land Surveyor  
of Meridian Surveying, LLC., certify that I have surveyed the  
described property and that the map shown is a true and accurate  
representation thereof to the best of my knowledge and belief.

Dated this 8th day of MAY, 2023.  
Craig A. Keach  
WISCONSIN PROFESSIONAL LAND SURVEYOR  
Craig A. Keach, S-2333

SURVEYED FOR:

**verticalbridge**  
750 PARK OF COMMERCE DRIVE  
SUITE 200  
BOCA RATON, FL 33487

**MERIDIAN**  
**SURVEYING, LLC**  
N9637 Friendship Drive Office: 920-993-0881  
Kaukauna, WI 54130 Fax: 920-273-6037

**SITE NAME:**  
EAGLE RIVER NORTH

**SITE NUMBER:**  
US-W-5557

**SITE ADDRESS:**  
2110 U.S.H. "45"  
EAGLE RIVER, WI 54521

**PROPERTY OWNER:**  
RYAN KAUZLARIC  
4613 PLUMMERS POINT RD.  
OSHKOSH, WI 54904

**PARCEL NO.:** 26-470

**ZONED:** ALL PURPOSE

**DEED REFERENCE:** DOCUMENT NO. 500341

**SURVEY PLAT**  
FOR  
VB 500 II, LLC.

BEING A PART OF THE SW1/4 OF THE  
NW1/4, SECTION 15, T.40N., R.10E.,  
TOWN OF WASHINGTON, VILAS COUNTY,  
WISCONSIN

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1	4/10/23	Preliminary Survey	JB

NO.	DATE	DESCRIPTION	BY
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1	4/10/23	Preliminary Survey	JB

NO.	DATE	DESCRIPTION	BY
3	5/8/23	Revised Easements	JD
2			

SURVEY NOTES:

-THE LOCATION OF THE EXISTING UTILITIES, AS SHOWN ON THIS PLAN, ARE APPROXIMATE ONLY. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ACTUAL LOCATION AND DEPTH OF ALL EXISTING UTILITIES. THE OWNER AND THE SURVEYOR SHALL NOT BE RESPONSIBLE FOR ANY OMISSION OR VARIATION FROM THE LOCATION SHOWN.

-DIGGERS HOTLINE TICKET NO. 20231306967.

-ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS, THE PROPOSED TELECOMMUNICATIONS SITE IS LOCATED IN ZONE "X", COMMUNITY PANEL NO. 55125C0680B, DATED JUNE 5 2012, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. ZONE "X" IS DESIGNATED AS: "AREAS DETERMINED TO BE OUTSIDE OF 500-YEAR FLOOD PLAIN".

-NO WETLANDS AREAS HAVE BEEN INVESTIGATED BY THIS SURVEY.

-THIS IS NOT A BOUNDARY SURVEY OF THE PARENT PARCEL. THIS SURVEY REPRESENTS THE LEASE AREA PREMISES AND 20' WIDE ACCESS & UTILITY EASEMENT ONLY.

-THE LEASE AREA PREMISES AND 20' WIDE ACCESS & UTILITY EASEMENT LIE ENTIRELY WITHIN THE PARENT PARCEL.

-THERE ARE NO PHYSICAL ENCROACHMENTS AFFECTING THE LEASE AREA PREMISES OR ACCESS & UTILITY EASEMENT.

-THE ACCESS & UTILITY EASEMENT RUNS TO U.S.H. "45" RIGHT OF WAY (A PUBLIC RIGHT OF WAY).

BENCHMARK INFORMATION

SITE BENCHMARK: (BM A)  
SET RAILROAD SPIKE IN WEST FACE OF 8" POPLAR TREE  
ELEVATION: 1644.85'

SURVEYOR'S CERTIFICATE

I, Craig A. Keach, Professional Land Surveyor of Meridian Surveying, LLC., certify that I have surveyed the described property and that the map shown is a true and accurate representation thereof to the best of my knowledge and belief.

Dated this 31 day of MAY, 2023.

*Craig A. Keach*  
WISCONSIN PROFESSIONAL LAND SURVEYOR  
Craig A. Keach, S-2333

CERTIFICATION:

I, CRAIG A. KEACH, PLS, A WISCONSIN PROFESSIONAL LAND SURVEYOR, LICENSE NO. S-2333, I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; AND (II) TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND TOWER TITLE, LLC. AND FIDELITY NATIONAL TITLE INSURANCE COMPANY.

THIS SURVEYOR HAS RECEIVED AND REVIEWED THAT CERTAIN TITLE COMMITMENT NO. VTB-149151-C ISSUED BY TOWER TITLE, LLC. WITH AN EFFECTIVE DATE OF MARCH 2, 2023 WHICH PROPOSES TO INSURE THE LANDS DESCRIBED UNDER ITS SCHEDULE A.

-LEGEND-

- = 1" X 18" IRON PIPE SET
- = 6" NAIL SET
- ⊕ = COUNTY MONUMENT FOUND
- ⊗ = ELECTRIC TRANSFORMER
- ⊞ = FIBER OPTIC PEDESTAL
- ⊠ = TELEPHONE PEDESTAL
- ★ = LIGHT POLE
- ⊙ = STORM INLET
- ⌵ = STAKE
- E — E = BURIED ELECTRIC
- F — F = BURIED FIBER OPTIC LINE
- G — G = BURIED GAS LINE
- — — — = PROPERTY LINE
- ⊗ = EXISTING TREE

BEARINGS REFERENCED TO THE  
VILAS COUNTY COORDINATE SYSTEM  
AND THE EAST-WEST QUARTER  
LINE OF SECTION 15, T.40N., R.10E.,  
WHICH BEARS S78°-06'-44"E

WOODS

WOODS

BMA

N86°-11'-20"E

75.00'

N03°-48'-40"W

75.00'

S03°-48'-40"E

75.00'

S86°-11'-20"W

75.00'

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75.00'

75.00'

RECEIVED & FILED

Vilas County Surveyor's Office

Date: 7-28-23

By: JB

VCS File No. A5202-2

SURVEYED FOR:

verticalbridge

750 PARK OF COMMERCE DRIVE  
SUITE 200  
BOCA RATON, FL 33487

MERIDIAN

SURVEYING, LLC

N9637 Friendship Drive Office: 920-993-0881  
Kaukauna, WI 54130 Fax: 920-273-6037

SITE NAME:  
EAGLE RIVER NORTH

SITE NUMBER:  
US-WI-5557

SITE ADDRESS:  
2110 U.S.H. "45"  
EAGLE RIVER, WI 54521

PROPERTY OWNER:

RYAN KAUZLARIC  
4613 PLUMMERS POINT RD.  
OSHKOSH, WI 54904

PARCEL NO.: 26-470

ZONED: ALL PURPOSE

DEED REFERENCE: DOCUMENT NO. 500341

GRAPHIC SCALE

1 inch = 60 ft.



SURVEY PLAT

FOR  
VB 500 II, LLC.

BEING A PART OF THE SW1/4 OF THE  
NW1/4, SECTION 15, T.40N., R.10E.,  
TOWN OF WASHINGTON, VILAS COUNTY,  
WISCONSIN

NO.	DATE	DESCRIPTION	BY
3	5/8/23	Revised Easements	JD
2	5/4/23	Added Lease and Easements	JD
1	4/10/23	Preliminary Survey	JB

DRAWN BY: J.B.	FIELD WORK DATE: 4-6-23
CHECKED BY: C.A.K.	FIELD BOOK: X
JOB NO.: 14463	SHEET 2 OF 3

Line #	Direction	Length
L1	S86°11'20"W	38.00'
L2	S01°38'38"E	63.37'
L3	S02°47'14"W	34.61'
L4	S20°31'54"W	36.01'
L5	N88°41'36"W	242.94'
L6	N00°30'23"E	20.00'
L7	S88°41'36"E	243.05'
L8	N20°31'54"E	30.45'
L9	N02°47'14"E	30.71'
L10	N01°38'38"W	81.86'
L11	N86°11'20"E	37.26'
L12	N03°48'40"W	55.00'
L13	N86°11'20"E	20.00'
L14	S03°48'40"E	75.00'
L15	S90°00'00"W	405.71'
L16	N00°30'23"E	15.00'
L17	N90°00'00"E	427.31'

Curve #	Radius	Length	Delta	Chord
C1	323.18'	316.76	056°09'25"	S62°18'34"W 304.23'
C2	303.18'	294.63	055°40'49"	N62°31'05"E 283.17'
C3	303.18'	26.41	004°59'31"	S55°23'10"W 26.41'

20' WIDE ACCESS & UTILITY EASEMENT  
15,796 SQ. FT. (0.363 ACRES)

15' WIDE UTILITY EASEMENT  
6,253 SQ. FT. (0.144 ACRES)

P.O.B. 15' WIDE UTILITY EASEMENT

EXISTING BUILDING

CONC.

GRAVEL

EXISTING BUILDING

GRASS

GRASS

GRASS

ASPHALT ROADWAY

R/W LINE

CULVERT

RECEIVED & FILED  
Vilas County Surveyor's Office  
Date... 7-28-23  
By... JB  
VCS File No. A5202-3

LEASE AREA PREMISES

Being a part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Fifteen (15), Township Forty (40) North, Range Ten (10) East, Town of Washington, Vilas County, Wisconsin containing 5,625 square feet (0.129 acres) of land and being described by:

Commencing at the West Quarter Corner of said Section 15; thence S78°-06'-44"E 441.68 feet along the East-West Quarter line said Section 15; thence N11°-53'-16"E 948.97 feet to the point of beginning; thence N03°-48'-40"W 75.00 feet; thence N86°-11'-20"E 75.00 feet; thence S03°-48'-40"E 75.00 feet; thence S86°-11'-20"W 75.00 feet to the point of beginning, being subject to any and all easements and restrictions of record.

20 FOOT WIDE ACCESS AND UTILITY EASEMENT

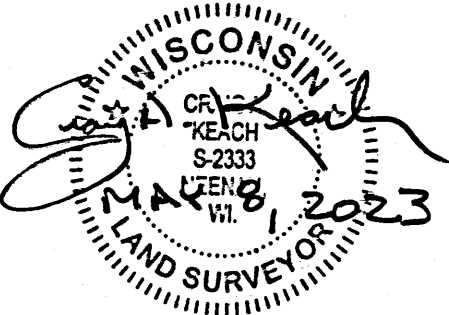
Being a part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Fifteen (15), Township Forty (40) North, Range Ten (10) East, Town of Washington, Vilas County, Wisconsin containing 15,796 square feet (0.363 acres) of land and being described by:

Commencing at the West Quarter Corner of said Section 15; thence S78°-06'-44"E 441.68 feet along the East-West Quarter line said Section 15; thence N11°-53'-16"E 948.97 feet to the point of beginning; thence S86°-11'-20"W 38.00 feet; thence S01°-38'-38"E 63.37 feet; thence S02°-47'-14"W 34.61 feet; thence S20°-31'-54"W 36.01 feet to the beginning of a curve to the right; thence 316.76 feet along the arc of said curve to the right, having a radius of 328.18 feet, and a chord which bears S62°-18'-34"W 304.23 feet; thence N88°-41'-36"W 242.94 feet to a point on the East Right-of-way line of U.S.H. 45; thence N00°-30'-23"E 20.00 feet along said East Right-of-Way line; thence S88°-41'-36"E 243.05 feet to the beginning of a curve to the left; thence 294.63 feet along the arc of said curve to the left, having a radius of 303.18 feet, and a chord which bears N62°-31'-05"E 283.17 feet; thence N20°-31'-54"E 30.45 feet; thence N02°-47'-14"E 30.71 feet; thence N01°-38'-38"W 81.86 feet; thence N86°-11'-20"E 37.26 feet; thence N03°-48'-40"W 55.00 feet; thence N86°-11'-20"E 20.00 feet; thence S03°-48'-40"E 75.00 feet to the point of beginning, being subject to any and all easements and restrictions of record.

15 FOOT WIDE UTILITY EASEMENT

Being a part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section Fifteen (15), Township Forty (40) North, Range Ten (10) East, Town of Washington, Vilas County, Wisconsin containing 6,253 square feet (0.144 acres) of land and being described by:

Commencing at the West Quarter Corner of said Section 15; thence S78°-06'-44"E 331.70 feet along the East-West Quarter line said Section 15; thence N11°-53'-16"E 712.09 feet to the point of beginning; thence S90°-00'-00"W 405.71 feet to a point on the East Right-of-way line of U.S.H. 45; thence N00°-30'-23"E 15.00 feet along said East Right-of-Way line; thence N90°-00'-00"E 427.31 feet to the beginning of a non-tangent curve to the right; thence 26.41 feet along the arc of a curve to the right, having a radius 303.18 feet, and a chord which bears S55°-23'-10"W 26.41 feet to the point of beginning, being subject to any and all easements and restrictions of record.



PARENT PARCEL

The following described real estate in Vilas County, State of Wisconsin:

The Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) in Section Fifteen (15), Township Forty (40) North, Range Ten (10) East, Washington Township, Vilas County, Wisconsin: Except therefrom two acres, sold to Joseph Kauzlaric, and by him sold to Niva Cannedy and wife, Rose, as described in Vol. 68 of Deeds, on Page 585, in Register of Deeds office, for Vilas County, Wisconsin.

Parcel ID: 26-470

This being the same property conveyed to Ryan J. Kauzlaric by a Deed from Joseph A. Kauzlaric, a single man dated 1/05/2012 and recorded 1/05/2012 in Instrument 500341 in the County of Vilas, State of Wisconsin.

TITLE REPORT REVIEW

Title Report: Fidelity National Title Insurance Company and Tower Title & Closing

Commitment No. VTB-149151-C

Effective Date: 2nd day of March, 2023

Fee Simple Title Vested In: Ryan J. Kauzlaric

NOTE: The Statement of Applicability refers to the Tower Easement Premises and any Easement Premises pertinent Thereunto Where Specific Encumbrances affect the Tower Easement Premises and/or a Pertinent Easement Premises, they are identified as such.

Schedule B-II

(1-9) These are general statements and not specific encumbrances.

(10) Individual Conveyance of Easement between Kathyryne Kauzlaric; and General Telephone Company of Wisconsin, a Wisconsin corporation, dated March 10, 1983 and recorded April 25, 1983 in (book) 427 (page) 455 (instrument) 213910, in Vilas County, Wisconsin. Does apply but is blanket in nature and cannot be plotted. Affects the Parent Parcel but no determination can be made as to it's affect on the Lease Area Premises or 30 Foot wide Access and Utility Easement.

(11) Finding, Determination and Declaration dated September 24, 1998 and recorded September 24, 1998 in (book) 837 (page) 76 (instrument) 342707, in Vilas County, Wisconsin. Does apply and affects the Parent Parcel. Will not affect the Lease Area Premises or 30 Foot wide Access and Utility Easement. This is a controlled access declaration. Since there is an existing driveway being utilized, it will not apply.

Affected by a(n) Authorization for Access to or Across a Controlled-Access Highway dated June 7, 1999 and recorded August 19, 1999 in (book) 884 (page) 456 (instrument) 354422, in Vilas County, Wisconsin. Does apply and affects the Parent Parcel. Will not affect the Lease Area Premises or 30 Foot wide Access and Utility Easement. This is a controlled access declaration. Since there is an existing driveway being utilized, it will not apply.

SURVEYED FOR:

verticalbridge

750 PARK OF COMMERCE DRIVE  
SUITE 200  
BOCA RATON, FL 33487

MERIDIAN

SURVEYING, LLC

N9637 Friendship Drive Office: 920-993-0881  
Kaukauna, WI 54130 Fax: 920-273-6037

SITE NAME:  
EAGLE RIVER NORTH

SITE NUMBER:  
US-WI-5557

SITE ADDRESS:  
2110 U.S.H. "45"  
EAGLE RIVER, WI 54521

PROPERTY OWNER:  
RYAN KAULARIC  
4613 PLUMMERS POINT RD.  
OSHKOSH, WI 54904

PARCEL NO.: 26-470

ZONED: ALL PURPOSE

DEED REFERENCE: DOCUMENT NO. 500341

SURVEY PLAT  
FOR  
VB 500 II, LLC.

BEING A PART OF THE SW1/4 OF THE  
NW1/4, SECTION 15, T.40N., R.10E.,  
TOWN OF WASHINGTON, VILAS COUNTY,  
WISCONSIN

NO.	DATE	DESCRIPTION	BY
3	5/8/23	Revised Easements	JD
2	5/4/23	Added Lease and Easements	JD
1	4/10/23	Preliminary Survey	JB

DRAWN BY: J.B.	FIELD WORK DATE: 4-6-23
CHECKED BY: C.A.K.	FIELD BOOK: X
JOB NO.: 14463	SHEET 3 OF 3



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2023-AGL-7267-OE

Issued Date: 08/08/2023

Richard Hickey  
VB 500 II, LLC  
750 park of commerce dr  
Boca Raton, FL 33487

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower US-WI-5557 Eagle River North
Location:	Eagle River, WI
Latitude:	45-57-15.99N NAD 83
Longitude:	89-14-15.32W
Heights:	1645 feet site elevation (SE) 145 feet above ground level (AGL) 1790 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- ☐ At least 10 days prior to start of construction (7460-2, Part 1)  
☒ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

Any height exceeding 145 feet above ground level (1790 feet above mean sea level), will result in a substantial adverse effect and would warrant a Determination of Hazard to Air Navigation.

This determination expires on 02/08/2025 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

**This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.**

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact Justin Hetland, at (847) 294-8084, or [justin.hetland@faa.gov](mailto:justin.hetland@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-AGL-7267-OE.

**Signature Control No: 581313757-595849800**

( DNE )

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information  
Frequency Data  
Map(s)

cc: FCC

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and en route procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.



## Robin Ginner

---

**From:** fbo erairport.com <fbo@erairport.com>  
**Sent:** Wednesday, May 15, 2024 2:05 PM  
**To:** Robin Ginner  
**Cc:** Steve Garbowicz  
**Subject:** RE: Notice of Public Hearing  
**Attachments:** letter\_595849800(2).pdf

Thanks!

I know you've seen this in the Determination Letter, but you may have just overlooked it as "gobbledygook."

"This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body." Page 2 – third paragraph from the bottom.

This is the inferred "threat" that if the sponsor, who is ultimately responsible for protecting the airport, fails to do so, could well be held responsible.

Rob

---



Robert Hom  
Airport Manager  
P.O. Box 2320  
1311 Airport Road  
Eagle River, WI 54521  
(715)479-7442 • fbo@erairport.com • www.erairport.com

[Find us on Facebook](#)

---

**From:** Robin Ginner <rcginner@eagleriverwi.gov>  
**Sent:** Wednesday, May 15, 2024 11:55 AM  
**To:** fbo erairport.com <fbo@erairport.com>  
**Subject:** Notice of Public Hearing

Please share with your airport community.

Kindest regards,

*Robin*

Robin Ginner  
City Administrator  
City of Eagle River  
525 E. Maple Street, PO Box 1269

# Frequency Data for ASN 2023-AGL-7267-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	3280	W





June 6 @ 5pm

# Application for a Hearing before the City of Eagle River Plan Commission

Date Filed 5.13.2024 Fee Paid \_\_\_\_\_ Petition # \_\_\_\_\_

**Applicant MUST provide the following information:**

Name NANCY ROBINS Phone 215.617.1787

Mailing Address 639 HIRZEL ST  
Eagle River, WI 54521

Interest in the Property OWNER - PRIVATE RESIDENCE

Name of Property Owner As above

Mailing Address As above

The above signed applicant does petition the City Council as follows:

## Amend the Zoning Classification or Boundaries of a District

Change may only be initiated by the City Council, Plan Commission or a petition by one or more of the owners or lessees of the property proposed to be changed.

Present Zoning Classification \_\_\_\_\_

Requested Zoning Classification \_\_\_\_\_

Applicant must provide the following information

- Legal description and address of the property in question.
- A sketch drawn to a scale of not less than 100 feet to the inch, showing area to be changed, its location, the location of the existing boundaries and the uses within 300 feet of the property proposed to be changed.
- Property owners names, mailing address of all property within 300 feet of the property in question.
- Present use of the property in question. FRONT LAWN
- Proposed use of the property in question. Screen porch addition

## **Zoning Ordinance Amendment**

Change initiated, must be initiated by Zoning Administrator.

Requested Amendment to section: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Conditional Use Permit**

Zoning Classification of Property R-1

List the requested conditional use,  
Requesting Variance to front setback - roadside - requesting 5' Variance  
to reduce front setback to 15'.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant must provide the following information:

- A legal description and address of the property where the use will take place.
- The names and mailing addresses of the abutting property owners.
- Present uses of the abutting properties. PRIVATE RESIDENCES
- A site plan of the property showing distances of structures to property lines, parking areas, landscaping, lighting, traffic line of sight visibilities and any other information which will assist the Plan Commission to make a decision.

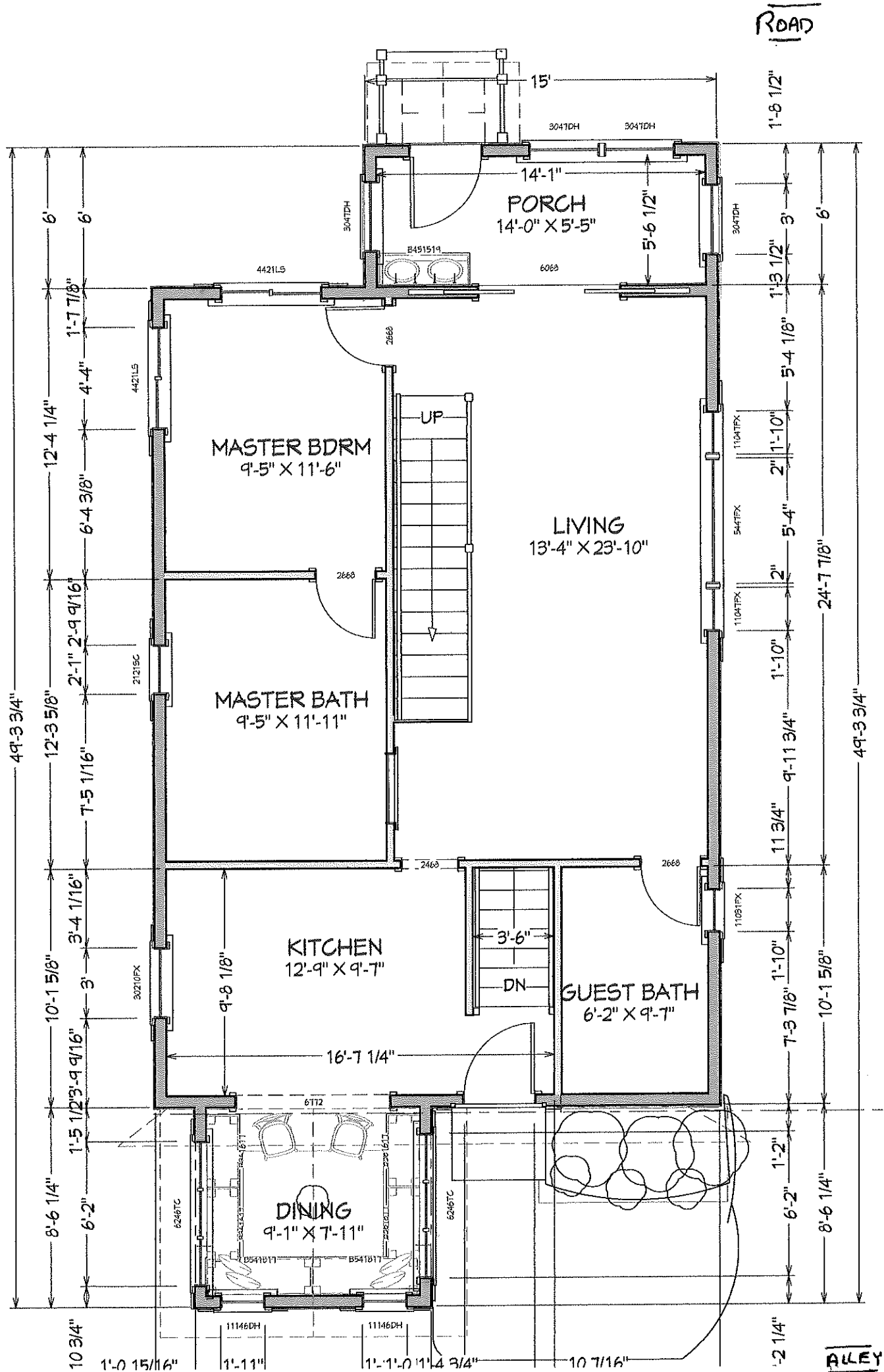
Additional information may be requested by the Eagle River Plan Commission or the Eagle River City Council to evaluate your application. The lack of information may in itself be sufficient cause to deny a petition. Failure to provide the above required information may result in additional public hearings, which additional costs will be borne by the applicant.

The completed application must be submitted to the City Clerk's office no less than 30 days before the date of the Plan Commission meeting, 525 E. Maple Street, PO Box 1269, Eagle River, WI 54521.

***Applicant or Owner of the property or Agent shall appear before the Plan Commission.***

Dated this 5.14.2024 day of May, 2024.

Respectfully submitted by Nancy B. Robb





# Vilas County Land Records Map



12/7/2019, 10:39:11 AM

1:600

## Section Corners



Section Corner



Quarter Corner

## Water Access



Boat Ramp



Carry-In Lake Access

## Highways



US/State Highway

County Highway

## Major Roads

Collector Road

Local Road

Resource Road

## Minor Roads

Service Road

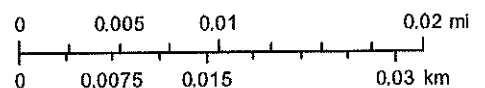
4WD Road

Runway

Section Line

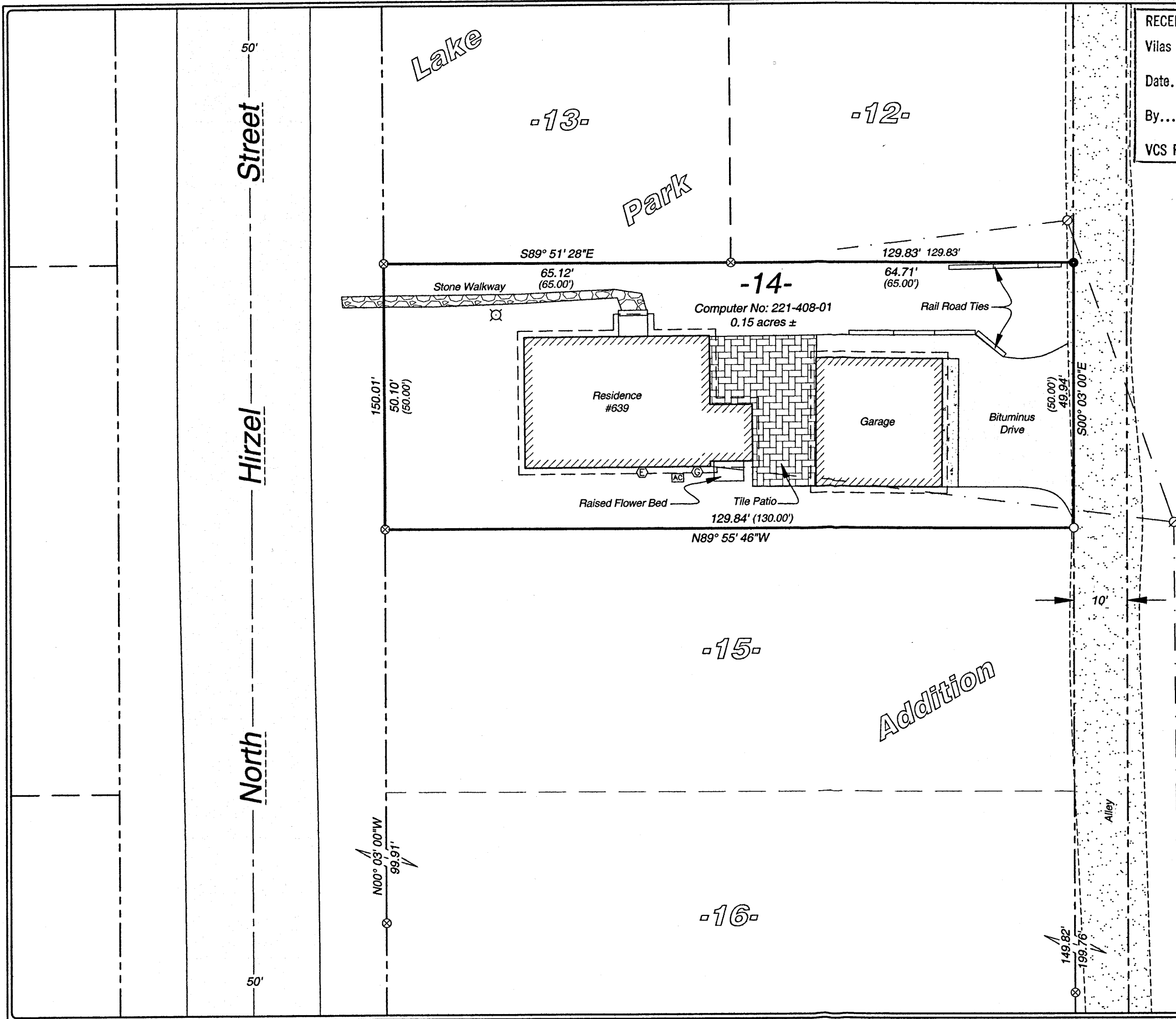
Quarter/Gov't Lot Line

Section Labels

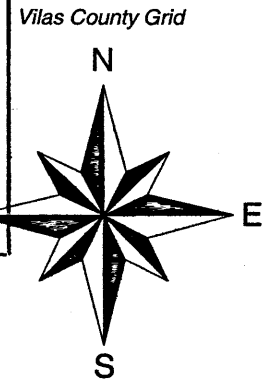


Created by Vilas County Mapping Department

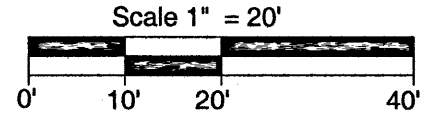




RECEIVED & FILED  
Vilas County Surveyor's Office  
Date 8-25-23  
By J.B.  
VCS File No. A5204W



- 1" dia. iron pipe set
- 3/4" dia. iron rod found
- ⊗ 1" dia. iron pipe found
- ( ) Bearing or distance of record
- ⊘ Utility pole
- ⊠ Air Conditioner
- ⊙ Light pole
- ⊙ Gas meter
- ⊙ Electric meter



**Surveyors Certificate**

I hereby certify that I have surveyed the property shown hereon; that this map represents an accurate survey of said property to the best of my knowledge and belief; and that I have complied with the applicable requirements of the Wisconsin Administrative Code Section A-E 7.

**Notes:**

1. This survey was done without the benefit of a title commitment, there may or may not be easements of record that benefit or burden the subject property.
2. Fieldwork was completed on June 26, 2023.

SCALE: 1" = 20'  
JOB #: 2023179  
DRAWN BY: CJH  
DATE: 07/26/2023  
SHEET 1 OF 1

CLIENT:  
Nancy Robins

Lot 14, Block 3 of the Plat of Lake Park Addition  
Being part of  
Government Lot 8  
Section 28, T 40 N, R 10 E  
City of Eagle River  
Vilas County, Wisconsin

Arbor Vitae, WI 54568  
Phone 715.356.9485  
Eagle River, WI 54521  
Phone 715.479.2570  
mainesandassociates.com





## NOTICE OF PUBLIC HEARING

Posted 5/14/2024

Nancy Robins is requesting a variance in property set-backs to reduce the (west) front-set-back to 15' in order to erect a screen porch at 639 Hirzel Street, Eagle River, computer number 221-408-01 in accordance with Chapter 106, Article VII, Section 106-561 (b) Zoning Schedule – set-backs for Single Family Residential: Front 20', Corner Street Side 15', Each Side 7', Rear 10', maximum height 30'. The property, zoned as Single Family Residential, is described as: LOT 14 BLK 3 LAKE PARK ADDN. Complete legal in tax roll.

The City of Eagle River Planning Commission will hold a public hearing to review the request on Thursday, June 6, 2024 at 5:00 p.m. located at the Eagle River City Hall, 525 E. Maple Street, Eagle River WI 54521. Comments can be made at the public hearing or by mail to City Administrator, PO. Box 1269, Eagle River, WI 54521; by phone (715) 479-8682 x227 or email [rcginner@eagleriverwi.gov](mailto:rcginner@eagleriverwi.gov). Documents will be available for review at City Hall. PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.



Snowmobile Capital of the World ★ ATV/UTV Capital of Wisconsin ★ Hockey Capital of Wisconsin

May 14, 2024

Dear Property Owner -

Nancy Robins is requesting a variance in property set-backs to reduce the (west) front-set-back to 15' in order to erect a screen porch at 639 Hirzel Street, Eagle River, computer number 221-408-01 in accordance with Chapter 106, Article VII, Section 106-561 (b) Zoning Schedule – set-backs for Single Family Residential: Front 20', Corner Street Side 15', Each Side 7', Rear 10', maximum height 30'. The property, zoned as Single Family Residential, is described as: LOT 14 BLK 3 LAKE PARK ADDN. Complete legal in tax roll.

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Sincerely,

A handwritten signature in black ink that reads "Robin Ginner". The signature is fluid and cursive, with the first name "Robin" and last name "Ginner" clearly distinguishable.

Robin Ginner  
City Administrator

Legal Notice— Request for Variance, 639 Hirzel Street

Publish twice, weeks of May 19 & May 26

Affidavit Requested

NOTICE OF PUBLIC HEARING

CITY OF EAGLE RIVER PLANNING COMMISSION

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