



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

### AGENDA NOTICE (7/24/2024)

THE PLANNING COMMISSION OF THE CITY OF EAGLE RIVER WILL HOLD A MEETING ON THURSDAY, AUGUST 1, 2024, AT 5:00 P.M. AT CITY HALL, 525 E. MAPLE STREET IN EAGLE RIVER.

This meeting will be available by Zoom at the following link:

<https://us06web.zoom.us/j/85111695208?pwd=x5pMv8crrbsPuYwefObTYbJG0m83b3.1>

Meeting ID: 851 1169 5208

Passcode: 963936

- 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) Andrew Van Dyke is requesting a waiver of *Item 3. Structures* of the Tamarack Business Park Restrictive Covenants, in regard to Lot 12, parcel #221-1056-20, described as SE-NE, Sect. 33, T40N,R10E, which states "The primary approved use structure to be placed upon any property purchased within the Tamarack Business Park shall be constructed and completed within one year from the date of purchase of the subject real estate upon which the structure is being placed."
  - b) Pre/3, LLC is requesting a zoning change from Highway Commercial to Multi-Family Residential for Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.
  - c) Pre/3, LLC is requesting a conditional use permit to build a multi-family housing complex consisting of up to 36 units, pursuant to *Zoning Section 106-393 Uses permitted by conditional grant: (6) Multi-family housing in excess of two units* on Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.
  - d) Approval of subdivision map for Elm Drive property, Parcel #221-1058-5800 described as SE-SE, Sect. 33, T40N,R10E, PRT SE SE ORDINANCE 529833 EXC 540834.
  - e) For Discussion Only: Interest in pursuing any changes to the zoning code to allow conditional use for secondary residences in single-family residential zoning.
- 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.



June 6, 2024

A meeting of the Plan Commission of the City of Eagle River was called to order at 5:00pm by Mayor Jeff Hyslop

Roll Call: Adam Grassl, John Hletko, Kim Schaffer, Mike Adamovich, Mary Horant and Deb Brown. Also in attendance; Robin Ginner, Becky Bolte

*Motion by Horant, 2<sup>nd</sup> by Adamovich to approve the minutes of the 5/2/24 meeting with spelling correction. Carried, all.*

Mayor Hyslop approved changing the order of agenda items.

B) Public Hearing: 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. Ginner presented the request from Nancy Robins. The Planning Commission must make decisions on the ordinance in place and therefore cannot grant a variance at 639 Hirzel. A rubric of the qualifications for Zoning Board of Appeals to approve was provided. Discussion on options to change the footprint of proposed porch to fall within ordinance requirements. Nancy Robins did not believe any of the options would work for her. *Motion by Horant, 2<sup>nd</sup> by Brown to deny the Nancy Robins variance request to reduce the property set-back at 639 Hirzel. Carried, all.*

A) Public Hearing: 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. Ginner presented that the Development Manager has requested more time, thus no hearing is to be held. Ginner updated the Commission on the communication tower proposal that is directly in line with the jet glide path at the Eagle River Union Airport. Although the tower is outside of the city, the City of Eagle River has extra territorial jurisdiction on this project because of the airport. The current plan shows the tower to be one foot below the maximum height, intentions to paint the tower white, and have no lights on the tower. Dave Sadenwasser of Vilas County Zoning spoke stating the County had issued a Zoning Permit for the communication tower as it met Vilas County ordinance standards for permitting. Discussion on safety concerns for airplanes. *Motion by Horant, 2<sup>nd</sup> by Hletko to postpone until company back with more information. Carried, all.*

C) Re-Scheduling of the July Planning Commission meeting, currently scheduled for July 4: Commission will reschedule the July Planning Commission meeting if a meeting is deemed necessary. *Motion by Horant, 2<sup>nd</sup> by Grassl to adjourn at 5:45PM. Carried, all.*

Becky J Bolte – Clerk



## Robin Ginner

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**Subject:** Public hearing notices for City of Eagle River

Good morning, Amber.

I have three public hearing notices (below) that need to run for two weeks beginning the week of July 15. Affidavit requested.

1. Andrew Van Dyke is requesting a waiver of *Item 3. Structures* of the Tamarack Business Park Restrictive Covenants, in regard to Lot 12, parcel #221-1056-20, described as **SE-NE, Sect. 33, T40N,R10E**, which states “The primary approved use structure to be placed upon any property purchased within the Tamarack Business Park shall be constructed and completed within one year from the date of purchase of the subject real estate upon which the structure is being placed.”

The City of Eagle River Planning Commission will hold a public hearing to review the request on **Thursday, August 1, 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.

2. Pre/3, LLC is requesting a zoning classification change from Highway Commercial to Multi-Family Residential for Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.

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3. Pre/3, LLC is requesting a conditional use permit to build a multi-family housing complex consisting of up to 36 units, pursuant to *Zoning Section 106-393 Uses permitted by conditional grant: (6) Multi-family housing in excess of two units* on Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.

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CITY OF  
**EAGLE RIVER**  
*Wisconsin*

**Application for a Hearing before Planning Commission**

**Applicant MUST provide the following information:**

Name Andrew Van Dyke- Ninja Property Management Inc. Phone 715-499-0482

Mailing Address \_\_\_\_\_

Interest in the Property Potential Buyer

Name of Property Owner Jeffery McGrath

Mailing Address 3881 Memory Ln. Eagle River, WI 54521

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.
- Proposed use of the property in question.

**Zoning Ordinance Amendment**

Change initiated, must be initiated by Zoning Administrator.

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

**Conditional Use Permit**

Zoning Classification of Property \_\_\_\_\_

List the requested conditional use, Andrew Van Dyke representing Nivison Property Management Inc. is requesting a waiver of Item 3. Structures of the Tamarack Business Park Restrictive Covenants, in regard to lot 12, which states "The primary approved use structure to be completed within one year."

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.
- 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 Planning 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 Zoning Administrator's office no less than 30 days before the date of the Planning 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 Planning Commission.***

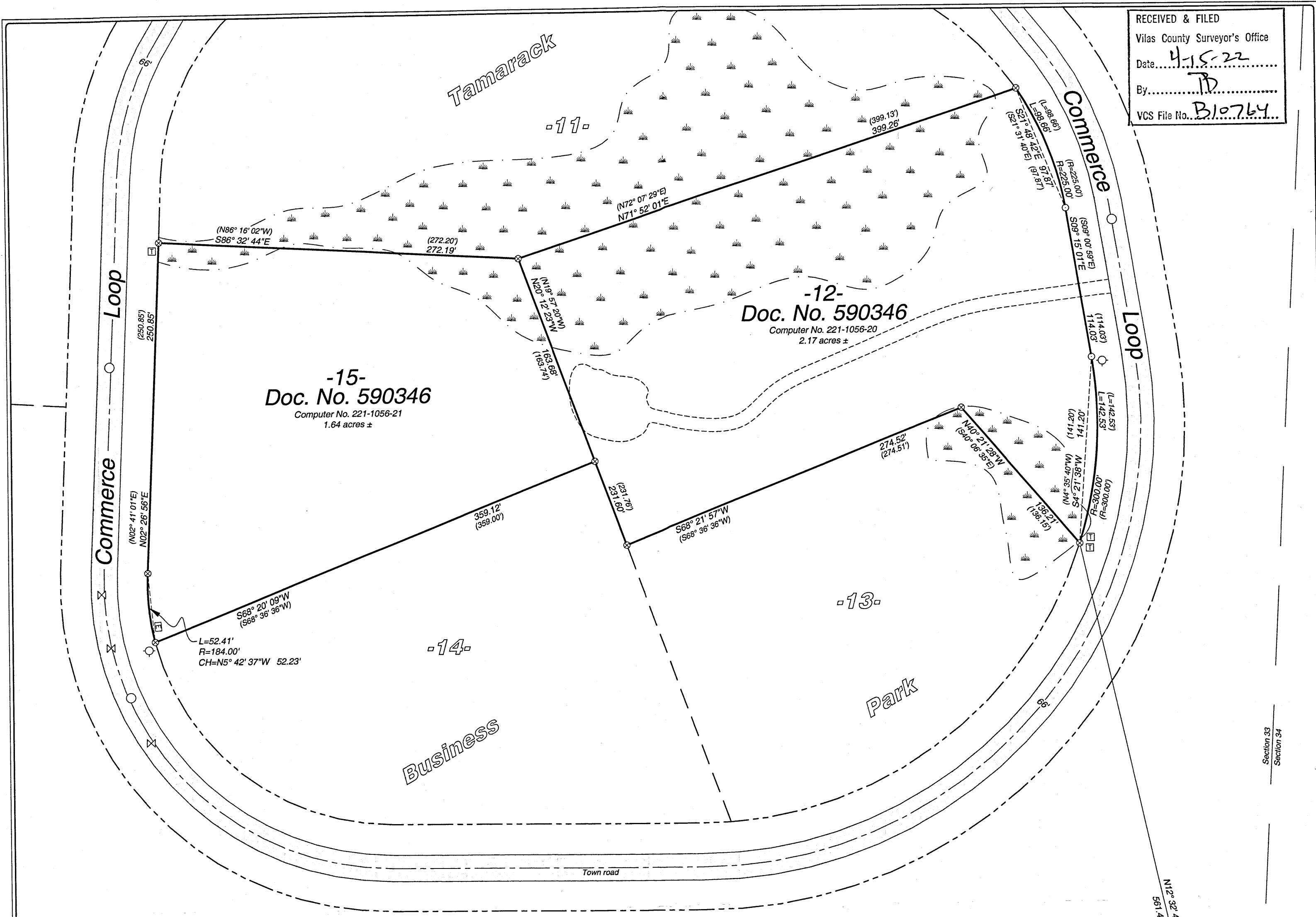
Dated this 3<sup>rd</sup> day of July, 2024

Respectfully submitted by Andrew Van Dyke

<i>For Office Use Only:</i>			
Permit distribution:	<input type="checkbox"/> Treasurer (w/check)	<input type="checkbox"/> File	<input type="checkbox"/> Planning Commission
Payment: \$ _____	<input type="checkbox"/> Cash	<input type="checkbox"/> Check # _____	Date: _____ Admin: _____ Date: _____



RECEIVED & FILED  
 Vilas County Surveyor's Office  
 Date: 4-15-22  
 By: JD  
 VCS File No. B10764



**Record Legal Description:**

**LOT 12**

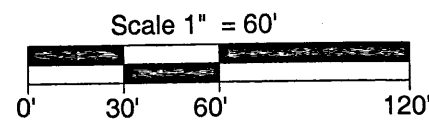
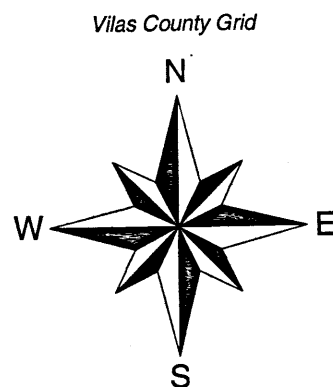
A parcel of land in the SE 1/4 of the NE 1/4, Section 33, Township 40 North, Range 10 East, City of Eagle River, Vilas County, Wisconsin, more particularly described as follows:

Commencing at the E 1/4 corner of said Section 33 marked by a Vilas County aluminum capped monument in place; thence along the east line of said Section 33 North 03 degrees 23 minutes 34 seconds East for a distance of 115.62 feet to an iron pipe; thence leaving said Section line North 35 degrees 08 minutes 21 seconds West for a distance of 303.18 feet to an iron pipe; thence South 84 degrees 39 minutes 31 seconds West for a distance of 220.03 feet to an iron pipe; thence North 19 degrees 57 minutes 20 seconds West for a distance of 223.16 feet to an iron pipe, the PLACE OF BEGINNING; thence continuing North 19 degrees 57 minutes 20 seconds West for a distance of 231.76 feet to an iron pipe; thence North 72 degrees 07 minutes 29 seconds East for a distance of 399.13 feet to an iron pipe; thence along a curve to the right having a radius of 225.00 feet and an arc length of 98.66 feet, being subtended by a chord of South 21 degrees 34 minutes 40 seconds East for a distance of 97.87 feet to an iron pipe; thence South 09 degrees 00 minutes 59 seconds East for a distance of 114.03 feet to an iron pipe; thence along a curve to the right having a radius of 300.00 feet and an arc length of 142.53 feet, being subtended by a chord of South 04 degrees 35 minutes 40 seconds West for a distance of 141.20 feet to an iron pipe; thence North 40 degrees 06 minutes 35 seconds West for a distance of 136.15 feet to an iron pipe; thence South 68 degrees 36 minutes 36 seconds West for a distance of 274.51 feet to the PLACE OF BEGINNING.

**LOT 15**

A parcel of land in the SE 1/4 of the NE 1/4, Section 33, Township 40 North, Range 10 East, City of Eagle River, Vilas County, Wisconsin, more particularly described as follows:

Commencing at the E 1/4 corner of said Section 33 marked by a Vilas County aluminum capped monument in place; thence along the east line of said Section 33 North 03 degrees 23 minutes 34 seconds East for a distance of 115.62 feet to an iron pipe; thence leaving said Section line North 35 degrees 08 minutes 21 seconds West for a distance of 303.18 feet to an iron pipe; thence South 84 degrees 39 minutes 31 seconds West for a distance of 220.03 feet to an iron pipe; thence North 19 degrees 57 minutes 20 seconds West for a distance of 291.18 feet to an iron pipe, the PLACE OF BEGINNING; thence South 68 degrees 36 minutes 36 seconds West for a distance of 359.00 feet to an iron pipe; thence along a curve to the right having a radius of 184.00 feet and an arc length of 52.41 feet, being subtended by a chord of North 05 degrees 28 minutes 32 seconds West for a distance of 52.23 feet to an iron pipe; thence North 02 degrees 41 minutes 01 seconds East for a distance of 272.20 feet to an iron pipe; thence South 19 degrees 57 minutes 20 seconds East for a distance of 163.74 feet to the PLACE OF BEGINNING.

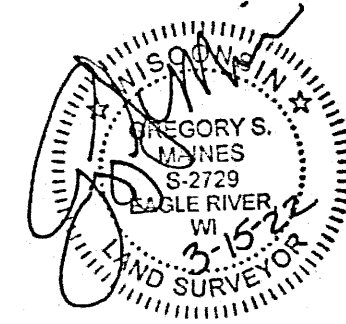


- 1" dia. iron pipe set
- ⊗ 1" dia. iron pipe found
- ( ) Bearing or distance of record
- Telephone pedestal
- Electrical pedestal
- Sanitary manhole
- ⊗ Gate valve
- Fire hydrant
- ⊗ Wetland

**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. There was significant snow cover during the time of this survey, there may have been improvements that could not be seen and therefore are not shown.
3. Wetlands shown hereon were derived from VCS Map No. C1677 and are for reference only.
4. Fieldwork was completed on March 14, 2022.

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.



SHEET 1 OF 1  
 DATE: 05/15/2022  
 DRAWN BY: CJH  
 MAP #: 2022059

Lots 12 & 15 of Tamarack Business Park  
 Being part of the  
 SE 1/4 of the NE 1/4  
 Section 33, T 40 N, R 10 E  
 City of Eagle River  
 Vilas County, Wisconsin

PREPARED FOR:  
 Jeffery McGrath



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



## Public Hearing Comments: Commerce Loop Waiver

Scott Ripple      2024.7.23      Requested that a time limit be put on the waiver, and not leave it open-ended.  
Requested that when the time comes to build that nothing that would cause any flooding be allowed - limit the fill in the wetlands area, etc.



**417084**  
Document Number

**VOL 1257 PAGE 384**  
Document Title

**RECORDED**

APR 01 2004

*1:25 pm*  
*Jean Hansen*  
REGISTER OF DEEDS, VILAS CO., WI

Recording Area

Name and Return Address *19. Chg*  
DEBRA A. BROWN  
CITY OF EAGLE RIVER  
CLERK \* TREASURER  
P.O. BOX 1269  
EAGLE RIVER, WI 54521

Parcel Identification Number (PIN)

**THIS PAGE CONTAINS RECORDING INFORMATION  
AND IS PART OF THE LEGAL DOCUMENT  
DO NOT REMOVE**

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the document or may be placed on additional pages of the document.  
Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m) WRDA 2/99

**TAMARACK BUSINESS PARK  
RESTRICTIVE COVENANTS**

WHEREAS, the City of Eagle River has purchased and zoned accordingly for industrial growth the following described real estate; and

**The SE ¼ of the NE ¼ of Section 33, Township 40 North,  
Range 10 East, City of Eagle River, Vilas County, Wisconsin.**

WHEREAS, the City of Eagle River desires to establish minimum requirements for the future owners of real estate within the above described Tamarack Business Park; and

WHEREAS, the City of Eagle River desires to create these Restrictive Covenants to make the Tamarack Business Park more compatible with the surrounding property owners and to shield them from activities within the Business Park; and

WHEREAS, at the time of the creation of these covenants, the entire parcel of real estate constituting the Tamarack Park is owned by the City of Eagle River;

NOW, THEREFORE, in consideration of the statements made above, the City of Eagle River does hereby create the following restrictions on the above-described real estate:

1. Exterior Lighting: All general exterior and security lighting shall be shielded at not less than 180 degrees, and shielded in such a fashion as to prevent glaring light beyond the property lines of the individual property boundary except where more than one lot is owned by the same entity within the above-described Business Park.

2. Subdivision of Lots: There shall be no subdivision or further division of lots as created by the City of Eagle River, except upon motion of the City Council.

3. Structures: The primary approved use structure to be placed upon any property purchased within the Tamarack Business Park shall be constructed and completed within one year from the date of purchase of the subject real estate upon which the structure is being placed.

4. Ingress/Egress: All access routes to and from lots in the Tamarack Business Park shall be on the central public street, known as Commerce Loop, or via any new created public streets within the park. There shall be no ingress and egress to perimeter surface roads. Initial park infrastructure construction is excepted.

5. Parking: There shall be no parking on any public street within the boundaries of the above-described Business Park.

6. Property Elevations: Lots within the Tamarack Business Park shall not be landscaped, nor shall foundations or buildings be designed or engineered so as to cause normal storm water runoff onto the adjacent public streets, within and without the Tamarack Business Park or to adjacent lots within the Business Park.

7. Anti-back-flow Valve: Each facility which connects to the public sanitary sewer system within the Tamarack Business Park shall be required to install an Anti-back-flow valve to prohibit up-flow from the sanitary sewer main into the lot owners sanitary sewer lateral.

8. Sanitary Sewer Monitoring Hole: Each inhabited facility and/or each facility using water within the Tamarack Business Park must connect to the public sanitary sewer system within the park. Each facility connected to the public sanitary sewer system shall include a monitoring hole at a minimum of 4 inches continuous from the surface to the sewer lateral and the lot owner by purchasing a lot in the Tamarack Business Park hereby consents to the City of Eagle River or its designated agents monitoring the sanitary sewer system monitoring hole as described herein.

9. Noise: Owners of parcels within the Tamarack Business Park may not run an operation which emits a noise level for 30 seconds or more, and which exceeds 80 decibels beyond their property line. Testing and monitoring shall use current federal Occupational Safety and Health Administration (OSHA) standard and means. In addition, limited and sporadic noise is limited to current acceptable OSHA standards.

10. Drainage: All owners of lots within the above-described Tamarack Business Park and which have an impervious surfaces upon their lots, shall provide for an on site retention basin capable of retaining up to two inches of rain per hour on site. The on site retention basins shall be drained via the public ditch system within the park to one of two Tamarack Business Park provided retention basins.

11. Tree/Vegetation Shielding: Tamarack Business Park perimeter lots shall be required to install and maintain a tree/vegetation terrace. The terrace area will be directly adjacent to the road right of way which would be either Loon Lake Road or Tamarack Street, and which are on the north and west boundaries of the Tamarack Business Park perimeter. The same tree/vegetation screen shall be required for the perimeter lot lines of the south and east perimeters of the Business Park. The five foot terrace area is part of and included in the set backs of each lot.

12. Sanitary Sewer Clean Out: Every facility requiring sewer connection within the above-described Tamarack Business Park shall at the time of connection to the public sanitary sewer within the park construct a sanitary system clean out hole with a minimum 4" width in diameter pipe from the surface to the sewer lateral. Said clean out shall be constructed on the exterior of the structure.

13. Signs: The City Council of the City of Eagle River hereby reserves the right to restrict or prohibit any and all signs in the Tamarack Business park in addition to whatever sign regulations exist in the City of Eagle River general Zoning Ordinances by a three-quarter (3/4) vote of the City Council.

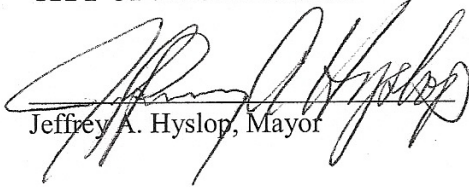
ANY deed, lease, conveyance, or contract made in violation of these restrictions shall be void and may be set-aside on petition of the City of Eagle River. If a conveyance and/or document or other instrument is set-aside by decree of a court of competent jurisdiction, all costs and expenses of such proceedings shall be taxed against the offending party or parties and shall be declared by the court to constitute a lien against the real estate so wrongfully deeded, sold, leased, or conveyed until paid, and such lien may be enforced in such a manner as the court may order.

THIS agreement constitutes a covenant running with the land and all successor future owners of the real estate described in this document shall have the same right to invoke and enforce its provisions as the original executor of this document.

THIS document shall take effect upon the execution of this document and its recording in the office of the Register of Deeds for Vilas County, State of Wisconsin.

DATED at Eagle River, Wisconsin this 1 day of April, 2004.


CITY OF EAGLE RIVER

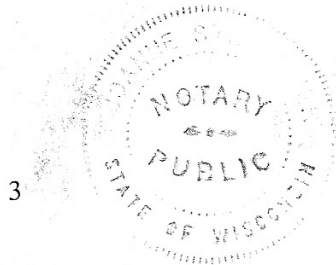
  
Jeffrey A. Hyslop, Mayor

  
Debra A. Brown, City Clerk

STATE OF WISCONSIN        }  
  }ss.  
COUNTY OF VILAS         }

Personally came before me this 1st day of April 2004, the above named Jeffrey A. Hyslop, to me known to be the person who executed the foregoing instrument and acknowledges the same.

  
Notary Public, State of Wisconsin  
My Commission Expires: 5-1-05

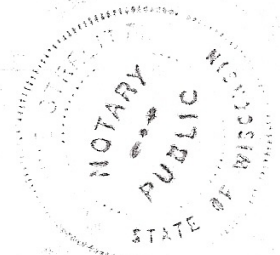




STATE OF WISCONSIN        }  
  }ss.  
COUNTY OF VILAS         }

Personally came before me this 1<sup>st</sup> day of April 2004, the above named Debra A. Brown, to me known to be the person who executed the foregoing instrument and acknowledges the same.

Joanne Stutzel  
Notary Public, State of Wisconsin  
My Commission Expires: 5-1-05



Drafted By:  
Steven C. Garbowicz, Attorney at Law  
State Bar I.D. # 1018485  
P.O. Box 639, Eagle River, WI 54521  
(715)479-6444





## NOTICE OF PUBLIC HEARING

Posted 7/10/2024

Andrew Van Dyke, Van Dyke PD, Inc, is requesting a waiver of *Item 3. Structures* of the Tamarack Business Park Restrictive Covenants, in regard to Lot 12, parcel #221-1056-20, described as **SE-NE, Sect. 33, T40N,R10E**, which states “The primary approved use structure to be placed upon any property purchased within the Tamarack Business Park shall be constructed and completed within one year from the date of purchase of the subject real estate upon which the structure is being placed.”

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CITY OF  
EAGLE RIVER  
*Wisconsin*

July 10, 2024

Dear property owner:

Andrew Van Dyke, Van Dyke PD, Inc, is requesting a waiver of *Item 3. Structures* of the Tamarack Business Park Restrictive Covenants, in regard to Lot 12, parcel #221-1056-20, described as **SE-NE, Sect. 33, T40N,R10E**, which states "The primary approved use structure to be placed upon any property purchased within the Tamarack Business Park shall be constructed and completed within one year from the date of purchase of the subject real estate upon which the structure is being placed."

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Sincerely,



Robin Ginner  
City/Zoning Administrator

JEFFERY MCGRATH  
3881 MEMORY LN  
EAGLE RIVER, WI 54521

RIPPEL PROPERTIES LLC  
SCOTTY RIPPEL  
EAGLE RIVER, WI 54521

DIVIDED INTERESTS  
, 00000

TALL PINES REAL ESTATE LLC  
2015 UNIVERSITY AVE  
GREEN BAY, WI 54302

CITY OF EAGLE RIVER  
PO BOX 1269  
EAGLE RIVER, WI 54521

JEFFERY MCGRATH  
3881 MEMORY LN  
EAGLE RIVER, WI 54521





## Application for a Hearing before Planning Commission

### Applicant MUST provide the following information:

Name Premier Eagle River, LLC. Phone 414-899-0214

Mailing Address 3120 Gateway Road, Brookfield, WI 53045

Interest in the Property The proposed development is to construct a multi-family development on Parcel 221-1060-05 on Wall Street.

Name of Property Owner Donald Scharf Trust

Mailing Address PO Box 835, Eagle River, WI 54521

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 Highway Commercial (ER)

Requested Zoning Classification Multiple-Family Residence District

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. Undeveloped
- Proposed use of the property in question. Multi-Family Residence

## Zoning Ordinance Amendment

Change initiated, must be initiated by Zoning Administrator.

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

## Conditional Use Permit

Zoning Classification of Property Proposed: Multiple-Family Residence District

List the requested conditional use, Multiple-family housing in excess of two units  
\_\_\_\_\_  
\_\_\_\_\_

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.
- 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 Planning 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 Zoning Administrator's office no less than 30 days before the date of the Planning 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 Planning Commission.***

Dated this 17 day of July, 2024

Respectfully submitted by Calvin Akin 

*For Office Use Only:*

Permit distribution:  Treasurer (w/check)     File     Planning Commission

Payment: \$ \_\_\_\_\_  Cash     Check # \_\_\_\_\_ Date: \_\_\_\_\_ Admin: \_\_\_\_\_ Date: \_\_\_\_\_



# City of Eagle River Zoning Permit Application

Site Address Wall Street Permit # \_\_\_\_\_

Building  Remodeling  Signs  Conditional Use  Re-Zoning   
Demolition  Excavation  Moving (Deposit Required)  Other \_\_\_\_\_

The undersigned hereby applies for a permit to do the work herein described and located on the application. The undersigned agrees that all work will be done in accordance with the Municipal Code of the City of Eagle River and with the statues of the State of Wisconsin Administrative Code applicable to the said premise.

Applicant Name Premier Eagle River, LLC. - Bob Murray Phone # 414-899-0214

Mailing Address 3120 Gateway Road, Brookfield, WI 53045 Email bob.murray@pre-3.com

Intended Purpose of Application Rezone and Conditional use of parcel 221-1060-05 Size of Structure 6 Buildings at 9,710 s.f.

Contractor Name Nicolet Lumber Company Phone # 920-866-2629

It is understood no structure or improvement may be constructed on City owned property, utility easements or highway right of ways without specific written permission from the City Council or designated representative. When establishing the site for construction, grade will be as established by City Council's designated representative. ca (Initial)

**Expiration of Permit:** If no Zoning Compliance certificate is issued within two years of the date of the issuance of the building permit, such building permit shall lapse. The holder of the permit must apply for an extension to the Administrator who may grant an extension. If no compliance certificate is issued within twenty-four months of the date of the issuing of the building permit, such building permit shall lapse. The holder of the building permit may apply for a re-issue of the building permit to the Administrator. It is understood the total building permit fee will be assessed at this time. By the granting of this permit the undersigned agrees to allow Administrator unfettered and unlimited access to the subject property for inspections to determine compliance to the City of Eagle River Code of Ordinances and applicable laws.

**Diggers Hotline MUST be contacted prior to the start of the excavation 1-800-242-8511.** ca (Initial)  
Signature of Applicant or Agent Calvin Klein Date 7/17/2024

**This permit is a zoning permit only. The improvement may require a building permit. For single family and two family residential properties you need to contact Baas Inspection Agency LLC at 715 891 0323 to determine if you need a building permit and inspection. For Commercial Property and Multi Family (4 or more units) you need to contact the State Building Inspector for District 7.**

Permit Fee \_\_\_\_\_ Project Cost \_\_\_\_\_ Zoning District \_\_\_\_\_

**Minimum Setbacks**

Front \_\_\_\_\_ Corner Side \_\_\_\_\_ Each Side \_\_\_\_\_ Rear \_\_\_\_\_ Max Height \_\_\_\_\_

Site Plan Required \_\_\_\_\_ Approved \_\_\_\_\_

Remarks \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_  
*Zoning Administrator*

**For Office Use Only:**

Permit distribution:  Clerk (w/check)  Light & Water  Fire Dept. (commercial only)  File

Payment: \$ \_\_\_\_\_  Cash  Check # \_\_\_\_\_ Date: \_\_\_\_\_ Admin: \_\_\_\_\_ Date: \_\_\_\_\_



A parcel of land being a part of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4), Section Thirty-four (34), Township Forty (40) North, Range Ten (10) East of the Fourth Principal Meridian, City of Eagle River, Vilas County, Wisconsin, and being more particularly described as follows:

Commencing at the North 1/4 corner of said Section 34, thence S8°23'45"W 377.88 feet along the West line of said Northwest 1/4 Northeast 1/4, thence S84°01'15"E 34.12 feet to an iron pipe on the East right of way line of the Town Road, the PLACE OF BEGINNING, thence continuing S84°01'15"E (N87°35'E by deed) 296.48 feet to an iron pipe, thence N8° 23'45"E 51.76 feet to an iron pipe, thence S88°19'E 988.90 feet to an iron pipe, thence S8°22'58"W 723.20 feet parallel to the East line of said Northwest 1/4 Northeast 1/4 and 20.00 feet therefrom, to an iron pipe, thence N88°19'W 895.03 feet to an iron pipe on the Easterly right of way line of U.S. Highway "45", thence N37°49'05" W 536.98 feet along the chord of a curve to the left to an iron pipe on the East right of way line of the Town Road, thence N7°59'27"E 276.40 feet along said right of way to the place of beginning.

Except the following two parcels:

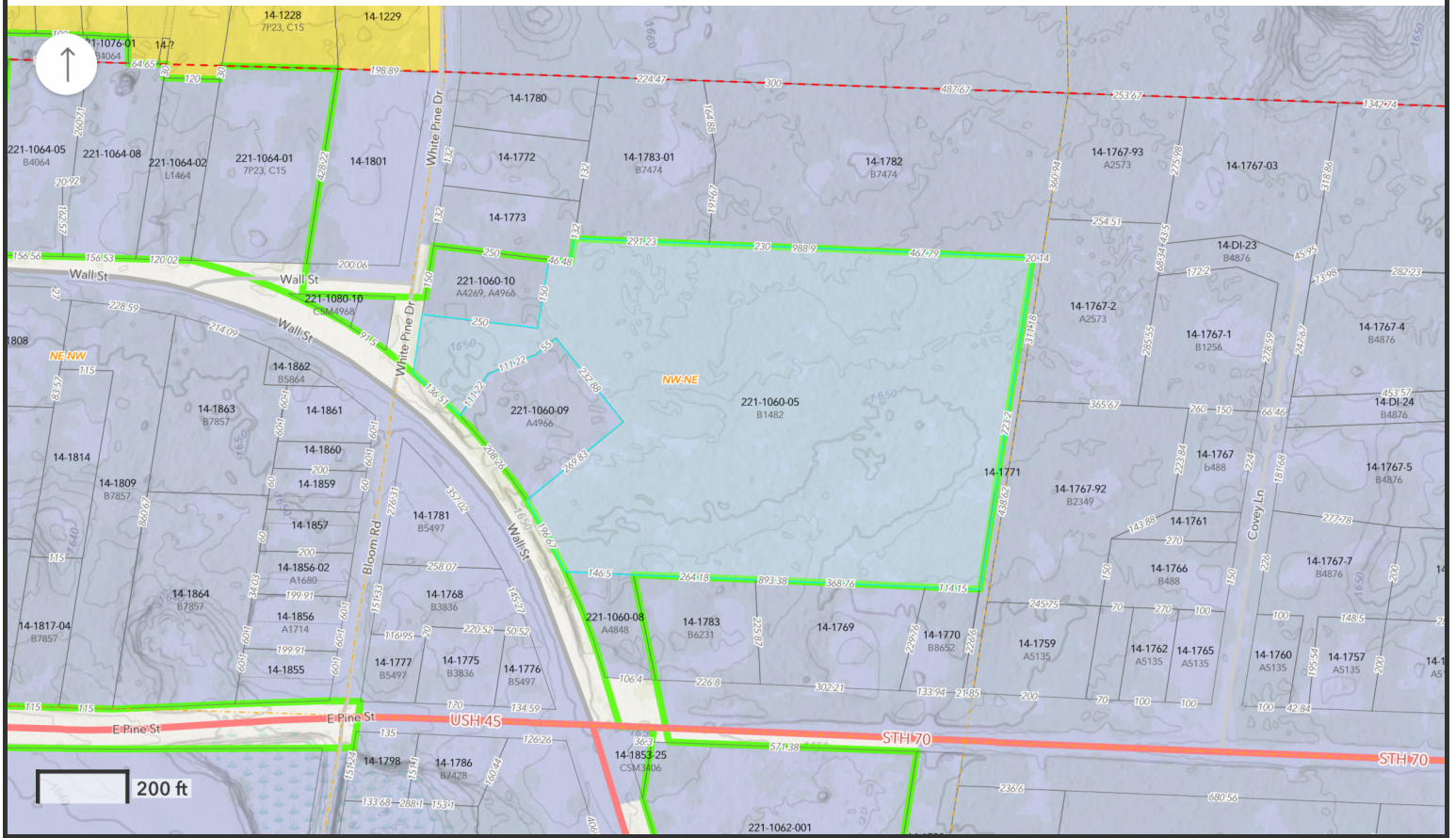
A. A parcel of land in Trustee's Deed recorded May 5, 2022 as Document No. 593411, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 34, Town 40 North, Range 10 East, City of Eagle River, Vilas County, Wisconsin, and being more particularly described as follows: Commencing at the North 1/4 corner of said Section 34 being marked by a steel survey pin in the pavement of White Pine Drive, a Town Road, thence S 8°23'45"W 377.88 feet along the North-South 1/4 line of said Section 34 as previously used and established to a point, thence S84°00'44"E 34.12 feet (S84°01'15" E of record) to an iron pipe on the Easterly R/W line of said White Pine Drive, thence S8°00'54"W 276.41 feet (S7°59'27"W 276.40 feet of record) along said Easterly R/W line to an iron pipe on the Northeasterly R/W line of East Wall Street, a City Street, thence Southeasterly along said Northeasterly R/W line 136.51 feet along the arc of a 1205.92 foot radius curve to the Right (chord bearing S 47°25'33"E 136.43 feet) to an iron pipe and the Place of Beginning, thence leaving said R/W line N33°30'23"E 111.22 feet to an iron pipe, thence N68°01'36"E 111.22 feet to an iron pipe, thence N50°46'00"E 55.00 feet to an iron pipe, thence S39°14'00"E 232.88 feet to an iron pipe, thence S50°46'00"W 269.83 feet to an iron pipe on the Northeasterly R/W line of said East Wall Street, thence Northwesterly along said Northeasterly R/W line 25.00 feet along the arc of a 1205.92 foot radius curve to the Left (chord bearing N33°41'39"W 25.00 feet) to an iron pipe, thence continuing Northwesterly along said Northeasterly R/W line 208.26 feet along the arc of said 1205.92 foot radius curve to the Left (chord bearing N39°14'08"W 208.00 feet) back to the Place of Beginning.

B. A parcel of land in Trustee's Deed recorded March 7, 2022 as Document No. 591887, being a part of the Northwest 1/4 of the Northeast 1/4, Section 34, Township 40 North, Range 10 East, City of Eagle River, Vilas County, Wisconsin, and being more particularly described as follows:

Commencing at the North 1/4 corner of said Section 34 being marked by a steel survey pin in the pavement of White Pine Drive, a town road, thence S8°23'45"W 377.88 feet along the North-

South 1/4 line of said Section 34 as previously used and established to a point, thence S84°00'44"E 34.12 feet (S84°01'15"E of record) to an iron pipe on the Easterly R/W line of said White Pine Drive and the Place of Beginning, thence leaving said R/W line S84° 00'44"E 250.00 feet (S84°01'15"E of record) to an iron pipe, thence S8°00'54"W 150.00 feet to an iron pipe, thence N84°00'44" W 250.00 feet to an iron pipe on the Easterly R/W line of said White Pine Drive, thence N8°00'54"E 150.00 feet (N7°59'27"E of record) along said Easterly R/W line back to the Place of Beginning.

# Planning & Zoning Explorer







## NOTICE OF PUBLIC HEARING

Posted 7/10/2024

Pre/3, LLC is requesting a zoning classification change from Highway Commercial to Multi-Family Residential for Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.

*Additionally*, Pre/3, LLC is requesting a conditional use permit to build a multi-family housing complex consisting of up to 36 units, pursuant to *Zoning Section 106-393 Uses permitted by conditional grant: (6) Multi-family housing in excess of two units* on Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.

The City of Eagle River Planning Commission will hold a public hearing to review the request on **Thursday, August 1, 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.

CITY OF  
EAGLE RIVER  
*Wisconsin*

July 10, 2024

Dear property owner:

Pre/3, LLC is requesting a zoning classification change from Highway Commercial to Multi-Family Residential for Parcel #221-1060-05, described as NW-NE, Sect. 34, T40N,R10E, PRT NW NE EXC 507081,547546,593411. The parcel is located at the northeast corner of US Highway 45/East Pine Street, Wall Street, and State Highway 70 East.

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Sincerely,



Robin Ginner

City/Zoning Administrator



Properties within 300 fe

<b>Parcel</b>	<b>Property Owner</b>
14-1863	Donald Scharf Trust
14-1862	Donald Scharf Trust
14-1861	Sue Sue Gray Trust
14-1860	No Owner
14-1859	Michael G Tranetzki
14-1781	Paul W O'Brien C/O James O'Brien
14-1768	Paul W O'Brien C/O James O'Brien
14-1775	Duane Polack Et Al
14-1776	Richard T Krueger
221-1060-08	Alan Brill Trust Et Al
14-1783	Daniel J Sandescu
14-1769	Gary S Goska Trust Et Al
14-1770	Debra F Cobb Trust
14-1771	Donald Scharf Trust
14-1759	Robert J McDonald Et Al
14-1763	Deborah L Haas
14-1766	Anthony J Kornely
14-1767-92	Olga E Lee
14-1761	Olga E Lee
14-1767-1	Steven J Kresl Et Al
14-1767-2	Steven J Kresl Et Al
14-1767-93	Jared Gall
14-1767-03	David J Gall Trust Et Al
14-1782	Robert S Hicks Jr Et Al
14-1783-01	Lynn M Horack
14-1780	Jay R Kolling
14-1772	Jay R Kolling
14-1773	Matthew W Britt
221-1060-10	Jonathan J Britt Et Al
221-1060-09	Jason J Numrich Et Al
14-1801	Rick Riemer Et Al
221-1080-10	Lucys Lunchbox LLC
221-1080-11	Fallon Aliece Beauty LLC

Set of Parcel 221-1060-05

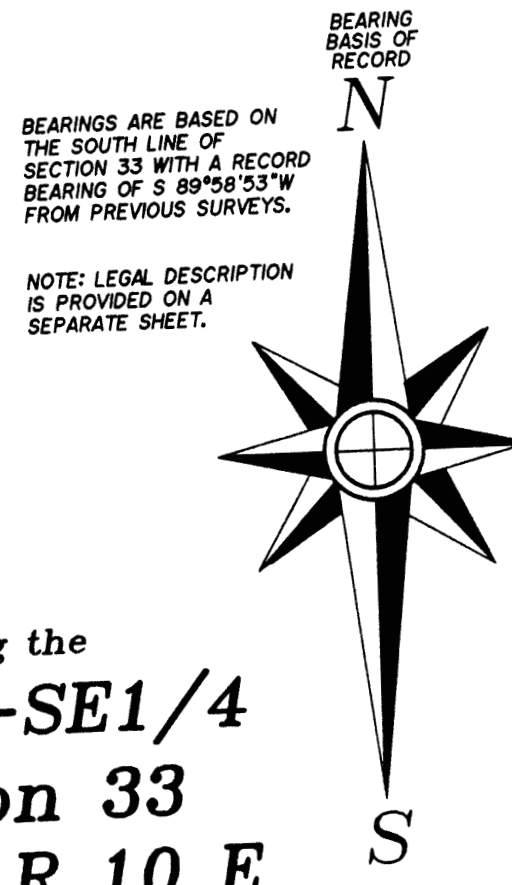
**Address**

PO Box 835, Eagle River, WI 54521  
PO Box 835, Eagle River, WI 54521  
5508 DJ LN, Weston, WI 54476  
No Mailing Address  
5602 Stewart Ave, Wausau, WI 54401  
6315 51st St NE, Rochester, MN 55906  
6315 51st St NE, Rochester, MN 55906  
PO Box 2243, Eagle River, WI 54521  
PO Box 1461, Eagle River, WI 54521  
PO Box 27, Arbor Vitae, WI 54568  
4300 E STH 70, Eagle River, WI 54521  
PO Box 2104, Eagle River, WI 54521  
4280 E STH 70, Eagle River, WI 54521  
PO Box 835, Eagle River, WI 54521  
4262 E STH 70, Eagle River, WI 54521  
4254 E STH 70, Eagle River, WI 54521  
1261 Covey Ln, Eagle River, WI 54521  
11021 Trails End Rd, Manitowish Waters, WI 54545  
11021 Trails End Rd, Manitowish Waters, WI 54545  
1290 Covey Ln, Eagle River, 54521  
1290 Covey Ln, Eagle River, 54521  
5533 Lake Rd, Oshkosh, WI 54902  
2925 Pine Island Lake Rd, Eagle River, WI 54521  
PO Box 33, Eagle River, WI 54521  
1328 White Pine Dr, Eagle River, WI 54521  
1314 White Pine Dr, Eagle River, WI 54521  
1314 White Pine Dr, Eagle River, WI 54521  
1306 White Pine Dr, Eagle River, WI 54521  
1290 White Pine Dr, Eagle River, WI 54521  
1515 E Wall St, Eagle River, WI 54521  
395 Sleigh Trail Ln, Eagle River, WI 54521  
107 S Second St, Eagle River, WI 54521  
1413 E Wall St, Eagle River, WI 54521

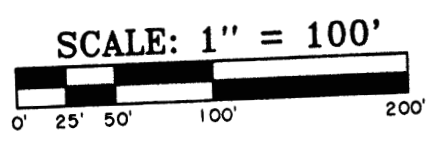
RECEIVED & FILED  
 Vilas County Surveyor's Office  
 Date 6-9-17  
 By B. B. 009 S  
 VCS File No. B.1.009 S

**Recreational Trail Easement Centerline**

COURSE	BEARING	DISTANCE
E-1	N 32°12'46"E	48.56'
E-2	N 22°54'45"E	85.38'
E-3	N 48°47'31"E	37.35'
E-4	Curve A=134.06' R=100.00'	
(chord)	N 10°23'13"E	124.24'
E-5	N 28°01'05"W	90.66'
E-6	N 18°49'18"W	72.77'
E-7	N 01°34'15"E	83.59'
E-8	N 09°36'29"E	203.30'
E-9	N 01°42'22"W	154.38'
E-10	N 06°13'36"E	165.99'
E-11	N 03°51'22"E	146.40'



Being the  
**SE1/4-SE1/4**  
**Section 33**  
**T 40 N, R 10 E**  
 City of Eagle River  
 Vilas County, Wisconsin



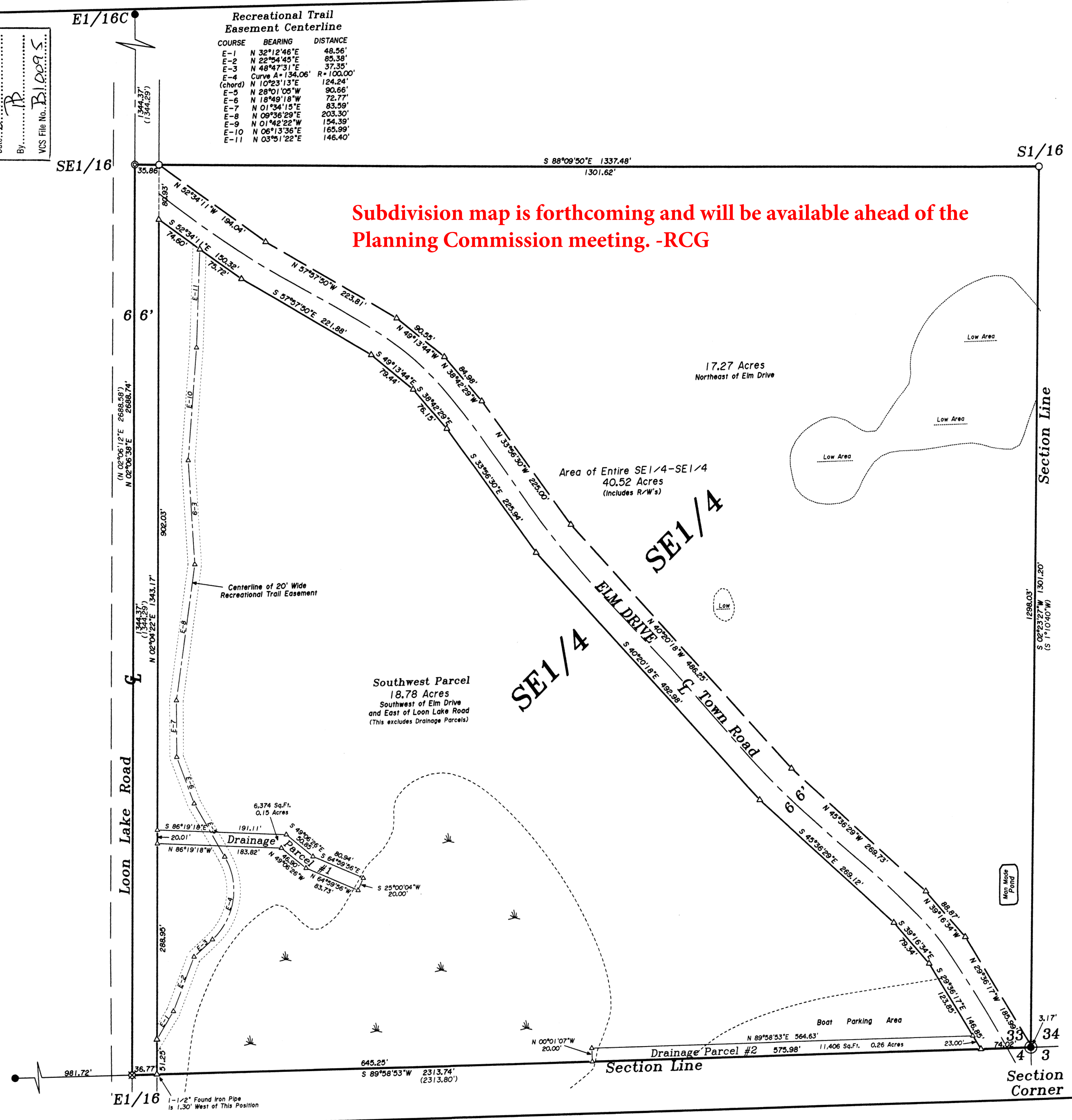
**-Surveyor's Certificate-**  
 "I HEREBY CERTIFY, THAT I HAVE SURVEYED AND MAPPED THE LANDS SHOWN HEREON AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY AND MAP IS A TRUE AND CORRECT REPRESENTATION THEREOF, AND THAT I HAVE COMPLIED WITH THE APPLICABLE REQUIREMENTS OF CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE'S MINIMUM STANDARDS FOR PROPERTY SURVEYS."  
 DATED THIS 26th DAY OF JULY, 2004.  
 THOMAS A. BOETTCHER, P.L.S. 1763  
 Revised 2/5/2015 (City of Eagle River)  
 Revised 4/30/2015 (Set corners and mark lines)  
 Revised 8/24/2016 (Recreational Trail Easement)  
 Revised 5/26/2017 (Drainage Parcels 1 & 2)



**-Legend-**

- VILAS COUNTY ALUMINUM MONUMENT FOUND IN PLACE
  - ⊠ RAILROAD SPIKE FOUND IN PLACE
  - 1" IRON PIPE FOUND IN PLACE
  - ⊙ MAGNETIC P.K. NAIL SET IN PAVEMENT
  - 1" IRON PIPE SET
  - △ COMPUTED POSITION
  - ( ) BEARING AND DISTANCE OF RECORD
- Shoreline Setback Note:**  
 A Lakebed/Wetland Determination Was Not Made During This Survey. The Zoning Office And/Or DNR Should Be Contacted To Verify Any Building Setback Lines.

**Subdivision map is forthcoming and will be available ahead of the Planning Commission meeting. -RCG**



Survey For  
**City of Eagle River**  
 525 East Maple Street  
 Eagle River, WI 54521

SCALE: 1" = 100' DATE: 7-26-2004 DWN. BY: TAB

Drawing No. **E2578** Eagle Landmark Surveying Inc.  
 5035 Hwy. 70 West, Eagle River, WI 54521  
 P&F (715)479-9610 eaglelandmark@frontier.com