



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

AGENDA NOTICE

THE PLANNING COMMISSION OF THE CITY OF EAGLE RIVER WILL HOLD A MEETING ON THURSDAY, AUGUST 7, 2025, AT 5:00 P.M. AT CITY HALL, 525 E. MAPLE STREET IN EAGLE RIVER.

Notice is hereby given that a majority of the City Council of the City of Eagle River may be attending scheduled Planning Commission meetings either in person or via zoom:

This constitutes a meeting of the City Council pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis. 2d 553, 494 N.W.2d 409 (1993), and must be noticed as such, although the Council will not take any formal action at these meetings.

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) Approve the agenda in any order
- 4) Approval of minutes.
- 5) Public Hearings, discussion and possible action on the following agenda item(s):
 - a) Public Hearing: An Ordinance Amending Section 106-274 of the Zoning Ordinance of the City of Eagle River Regarding Fencing Materials Prohibiting Electric Fencing in Residential Zoning District
 - b) Rejection of application for zoning permit at 542 N Bond, 221-445-001 to recommend to Zoning Board of Appeals for variance.
 - c) For Discussion: potential amendment regarding minimum residential lot sizes - Variance required if under 7,200 square feet and under 60' wide.
- 6) Adjournment.

Robin Ginner, Zoning Administrator

June 5, 2025

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

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

Motion by Schaffer, 2nd by Adamovich to approve the agenda in any order. Carried all.

Motion by Forer, 2nd by Horant to approve the minutes of the 5-1-2025 meeting. Carried, all.

a) Public hearing considering an ordinance amending Chapter 106 – Zoning, Article VI – Districts, Division 6 – Downtown Commercial District, Section 106-443 Uses Permitted By Conditional Grant, and Division 7 – Highway Commercial District, Section 106-473 Uses Permitted By Conditional Grant of the City of Eagle River Municipal Code: Ginner presented that this amendment came about with an inquiry about putting a laundromat at 230 S Main and finding that no code seemed to exist regarding laundromats, stating she believed the code was inadvertently dropped when the Zoning Code was overhauled. The proposed amendment would add subsection to Downtown Commercial District and Highway Commercial District that adds Laundromats and Dry Cleaners to uses permitted by conditional grant. No one from the public was in attendance in person or virtually, no comments were received. Discussion. *Motion by Horant, 2nd by Foyer to recommend City Council adoption of proposed Ordinance amending the City of Eagle River code Section 106-443 Downtown Commercial District and Section 106-473 Highway Commercial District, adding subsection (11) Laundromats and Dry Cleaners to both sections as uses permitted by conditional grant. Carried a roll call vote, all.*

Motion by Schaffer, 2nd by Horant to adjourn at 5:10pm.

Becky J Bolte – Clerk

PUBLISH TWO WEEKS STARTING July 21, 2025
Affidavit requested

NOTICE OF PUBLIC HEARING

The City of Eagle River Planning Commission will hold a Public Hearing on Thursday, August 7, 2025 at 5:00 P.M. at the Eagle River City Hall, 525 East Maple St, Eagle River, Wisconsin, to consider an ordinance amending section 106-274 of the zoning ordinance of the City of Eagle River regarding fencing materials prohibiting electric fencing in and/or adjoining residential zoning districts. Amendments as follows:

Section 106-274 of the City of Eagle River Zoning Ordinance is hereby amended as follows:

1. **Subsection (1)** is amended to add the following sentence at the end:

Electrified fences are prohibited in and/or adjoining all residential zoning districts.

2. **Subsection (5)** is amended by deleting the sentence:

Barbed wire fencing is not permitted when adjoining a residential property.

3. **Subsection (2)** is amended to add the following sentence at the end:

Barbed wire fencing is not permitted when adjoining a residential property.



NOTICE OF PUBLIC HEARING

The City of Eagle River Planning Commission will hold a Public Hearing on Thursday, August 7, 2025 at 5:00 P.M. at the Eagle River City Hall, 525 East Maple St, Eagle River, Wisconsin, to consider an ordinance amending section 106-274 of the zoning ordinance of the City of Eagle River regarding fencing materials prohibiting electric fencing in and/or adjoining residential zoning districts. Amendments as follows:

Section 106-274 of the City of Eagle River Zoning Ordinance is hereby amended as follows:

1. **Subsection (1)** is amended to add the following sentence at the end:

Electrified fences are prohibited in and/or adjoining all residential zoning districts.

2. **Subsection (5)** is amended by deleting the sentence:

Barbed wire fencing is not permitted when adjoining a residential property.

3. **Subsection (2)** is amended to add the following sentence at the end:

Barbed wire fencing is not permitted when adjoining a residential property.

Comments can be made during 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.

ORDINANCE NO. ____

**AN ORDINANCE AMENDING SECTION 106-274 OF THE ZONING ORDINANCE OF THE CITY OF
EAGLE RIVER REGARDING FENCING MATERIALS PROHIBITING ELECTRIC FENCING IN
AND/OR ADJOINING RESIDENTIAL ZONING DISTRICTS**

The Common Council of the City of Eagle River, Vilas County, Wisconsin, does hereby ordain as follows:

SECTION 1. Amendment.

Section 106-274 of the City of Eagle River Zoning Ordinance is hereby amended as follows:

1. **Subsection (1)** is amended to add the following sentence at the end:

Electrified fences are prohibited in and/or adjoining all residential zoning districts.

2. **Subsection (5)** is amended by deleting the sentence:

Barbed wire fencing is not permitted when adjoining a residential property.

3. **Subsection (2)** is amended to add the following sentence at the end:

Barbed wire fencing is not permitted when adjoining a residential property.

SECTION 2. Effective Date.

This ordinance shall take effect upon passage and publication as required by law.

Adopted this ____ day of _____, 2025.

Robin Ginner

From: Steve Garbowicz <sgarbo@oabglaw.com>
Sent: Wednesday, June 18, 2025 11:12 AM
To: Robin Ginner
Cc: Christine Dobbs; COER Mayor
Subject: Re: Electric Fence

Yes because the statute exempts residential property. SCG

On Mon, Jun 16, 2025 at 2:02 PM Robin Ginner <rcginner@eagleriverwi.gov> wrote:

Steve –

Based on the statute that Chris sent, do we need to enact our own ordinance amendment? Or can we just go along with the state statute?

Thanks,



Robin Ginner

City Administrator

City of Eagle River

Note my new email address: rcginner@eagleriverwi.gov

Elected Officials and Members of City Committees: In order to comply with Open Meetings Act Requirements, please limit any reply to only the sender of this electronic communication. Please be aware that written communication, emails and faxes are generally considered open public records.

From: Christine Dobbs <chdobb@Vilascountywi.gov>
Sent: Monday, June 16, 2025 1:30 PM
To: Robin Ginner <rcginner@eagleriverwi.gov>

Cc: COER Mayor <COERMayor@eagleriverwi.gov>; Steve Garbowicz <sgarbo@oabglaw.com>

Subject: RE: Electric Fence

From: Christine Dobbs

Sent: Monday, June 16, 2025 1:29 PM

To: Robin Ginner <rginner@eagleriverwi.gov>

Subject: RE: Electric Fence

Ya, NO. Horrible idea and I believe against state statute

[Wisconsin Legislature: 2021 Wisconsin Act 197](#)

66.0440 Battery-powered, alarmed electric security fences.

(1) In this section:

(a) “Battery-powered, alarmed electric security fence” means an electric fence that satisfies all of the following:

1. Is equipped with an energizer that produces direct current and is powered by a commercial storage battery with a voltage of not greater than 12 volts.
2. Produces an electric charge on contact that satisfies standards provided by the International Electrotechnical Commission, as published in the latest version of the commission's standards for electric fence energizers.
3. Is connected to a system that is capable of signaling law enforcement.
4. Includes warning signage that a battery-powered, alarmed electric security fence is in operation.
5. Is surrounded by a perimeter fence or wall that is at least 5 feet in height.
6. Is no more than 10 feet in height, or 2 feet higher than the perimeter fence or wall, whichever is higher.

(b) “Political subdivision” means a city, village, town, or county.

(2) No political subdivision may do any of the following:

(a) Prohibit the installation or use of a battery-powered, alarmed electric security fence, except on property designated exclusively for residential use.

(b) Require a permit, other than an alarm system permit, for the installation or use of a battery-powered, alarmed electric security fence.

(c) Impose installation or operation requirements that are inconsistent with the standards set by the International Electrotechnical Commission for installation or operation of an electrified fence that is a component of a battery-powered, alarmed electric security fence.

(3) No person may locate a battery-powered, alarmed electric security fence on property designated exclusively for residential use.

History: [2021 a. 197](#).

From: Robin Ginner <rcginner@eagleriverwi.gov>

Sent: Monday, June 16, 2025 11:05 AM

To: Steve Garbowicz <sgarbo@oabglaw.com>; Christine Dobbs <chdobbs@Vilascountywi.gov>; COER Mayor <COERMayor@eagleriverwi.gov>

Subject: Electric Fence

We have a gentleman in town that would like to install an electric fence (like a livestock fence) to keep deer out of his yard. He's at the corner of First at Court Streets. Our fence ordinance makes no mention of electric fences, and I worry a kid is going to touch it and end up with a shock. Obviously these fences won't kill a person, but I've touched them and they definitely don't feel good.

I told him I'd look into this more and get back to him. Our ordinances prohibit barbed wire fence, but make no mention of electric fences. I'm inclined to make an amendment adding electric to the barbed wire as prohibited in residential zoning districts.

Thoughts?

Kindest regards,



Robin Ginner

City Administrator

City of Eagle River

City of Eagle River Zoning Permit Application

Site Address 542 N. Bond St, Eagle River WI 54521

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 statutes of the State of Wisconsin Administrative Code applicable to the said premise.

Applicant Name Colette Erbach Phone #'s (724) 221-7069

Mailing Address 6599 105th Street, Pleasant Prairie WI 53158

Intended Purpose of Application Vacant lot to residential home w/ garage Size of Structure 1741 sq ft

Contractor Name Northern Builders and Homes, Inc. Phone #'s (715) 854 - 3064

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. HV - A _____ (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. HV-A _____ (Initial)

Signature of Applicant or Agent (Signature) (Agent) Date July 2, 2025

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 575,000 Zoning District Single Family Residential (R1)
Minimum Setbacks Front 30' Corner Side 15' Each Side 7' Rear 10' Max Height 30'
Front 2' Corner Side _____ Each Side 7.5' Rear 10' Max Height _____

Site Plan Required (Included) Approved _____

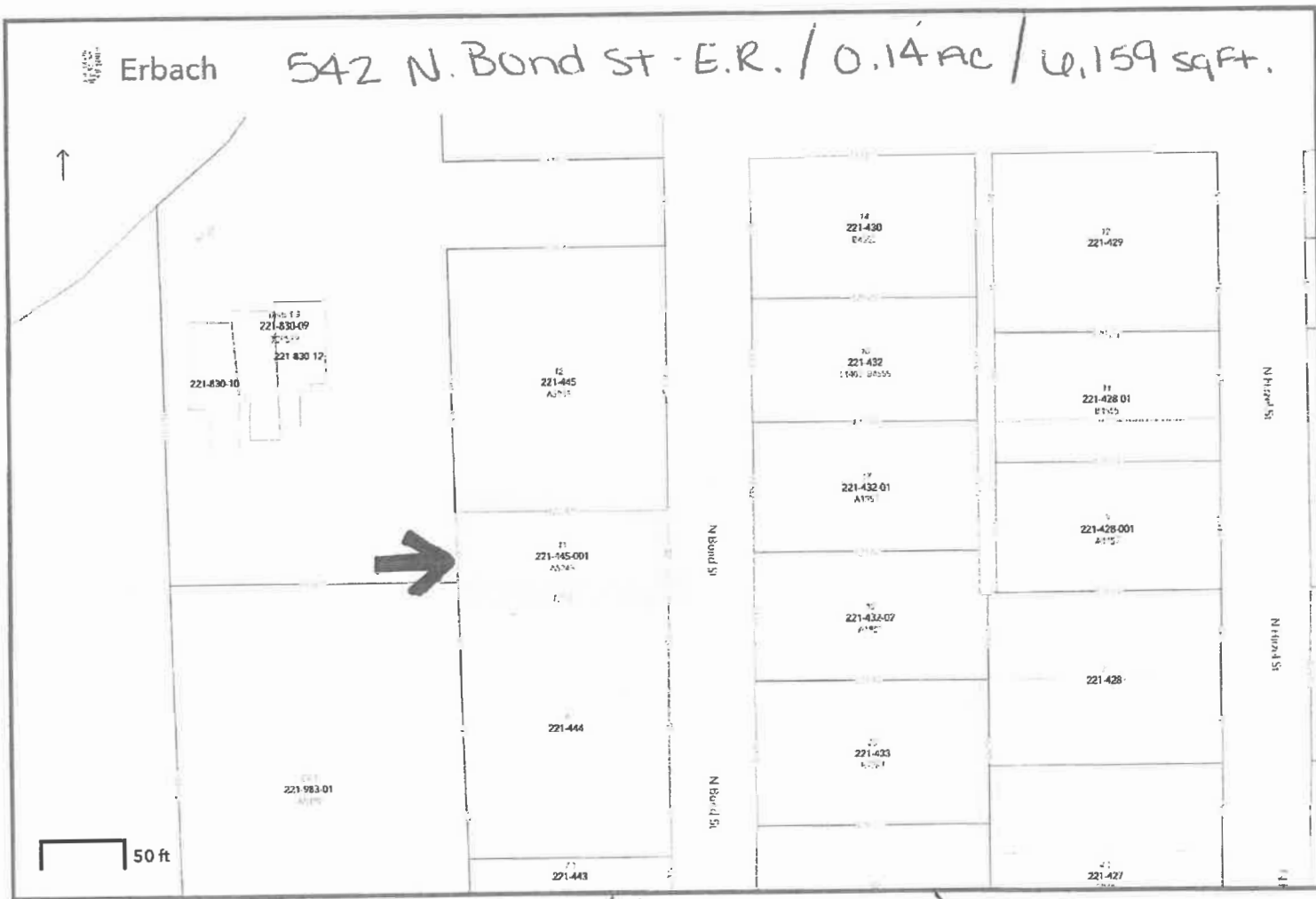
Remarks _____

Signed _____ Date _____
Zoning Administrator

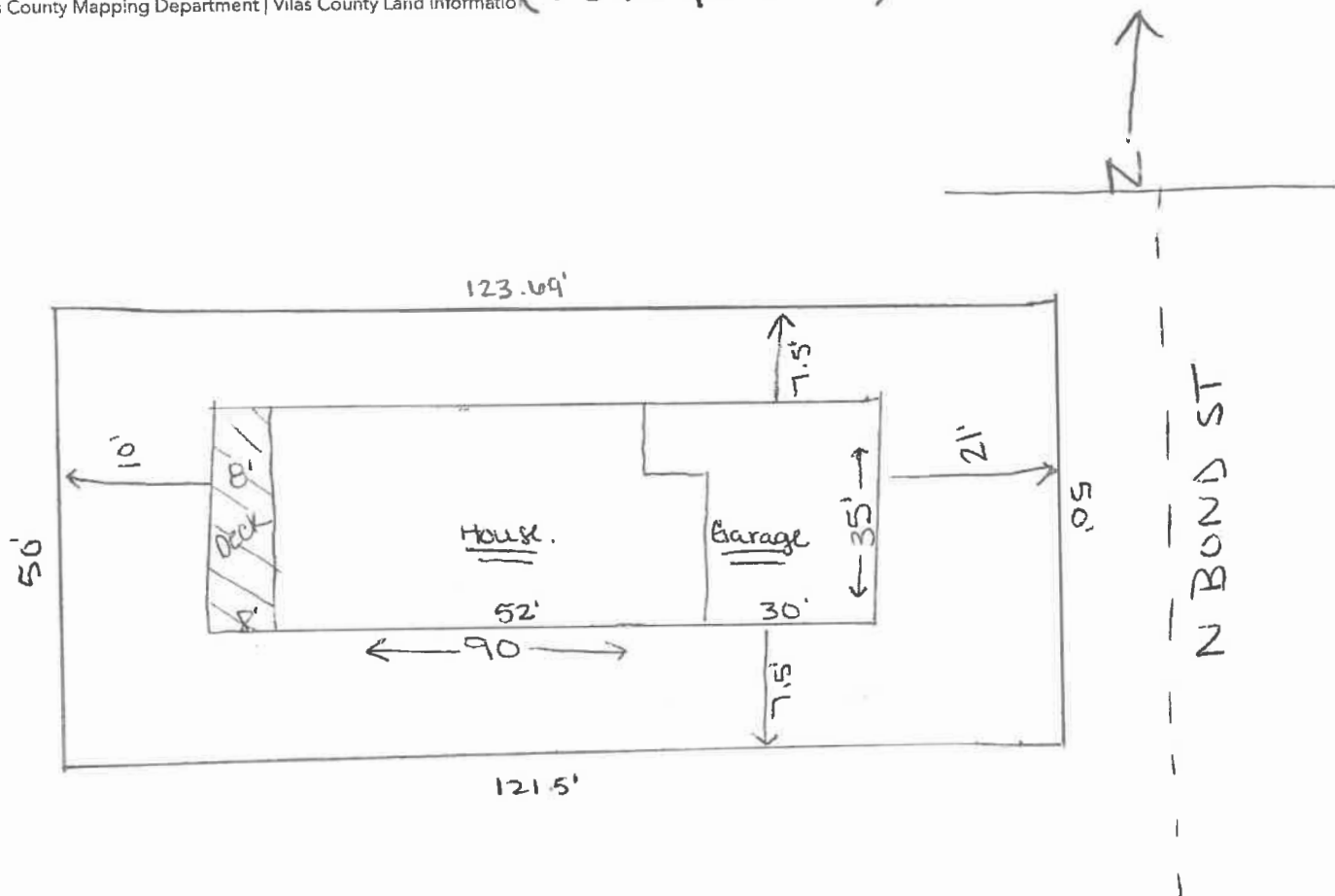
For Office Use Only:

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

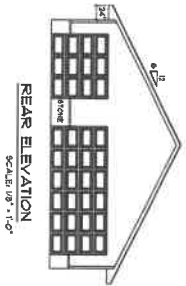
Payment: \$ _____ ☐ Cash ☐ Check # _____ Date: _____ Admin: _____ Date: _____



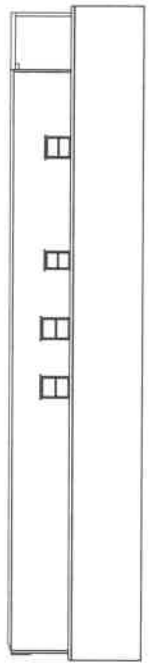
Created by Vilas County Mapping Department | Vilas County Land Information (↓ Enlarged Below)



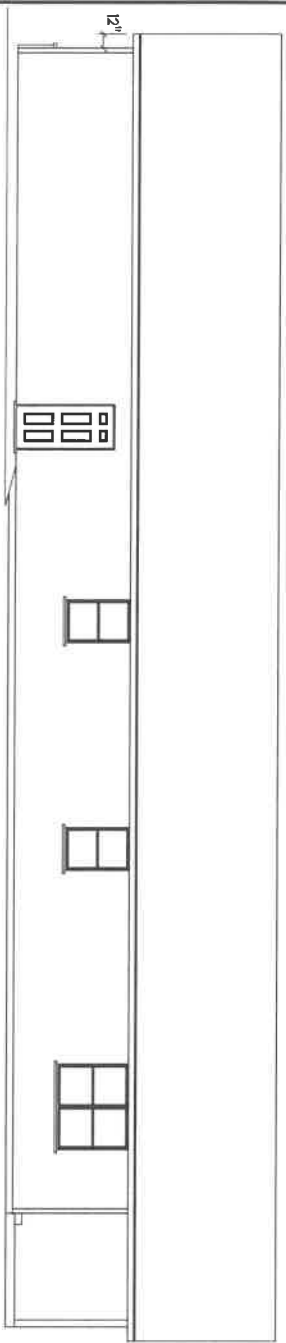




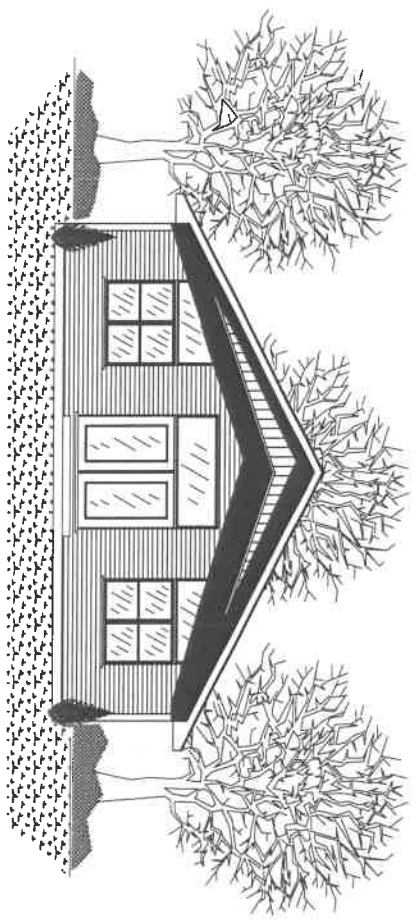
REAR ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

LEGAL NOTE:

THE GENERAL CONTRACTOR / HOME OWNER AGREES THAT, BY PAYING FOR THESE PLANS, RESIDENTIAL DESIGN HAS MADE EVERY EFFORT IN PREPARING & CHECKING THESE PLANS FOR ACCURACY. THE GENERAL & SUB CONTRACTORS, HOME OWNER, AND MATERIAL SUPPLIERS MUST REVIEW ALL DIMENSIONS, STRUCTURAL DETAILS, & NOTES BEFORE ORDERING MATERIALS OR BEGINNING ANY CONSTRUCTION AND ARE HEREBY HELD RESPONSIBLE FOR ANY NONO DISCREPANCIES UNLESS BROUGHT TO THE ATTENTION OF RESIDENTIAL DESIGN FOR CORRECTION.



RESIDENTIAL
DESIGN & CONSULTING
745 - 276 - 3249

JEFF
HUEHNERFUSS
ARCHITECTURAL
DESIGNER

NORTHERN BUILDERS & HOMES

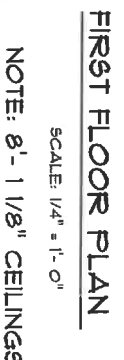
PROPOSED HOME FOR: **COLETTE ERBACH**
E-MAIL: rdesign1958@yahoo.com

SHEET
1 OF 3

LAST REVISION DATE:
11-14-05 3-10-06

DATE: 24 - 126 - RL

FIGURE 32125-A



1746 SQUARE FEET

SCALE: 1/4" = 1'-0"

NOTE: 8'-1 1/8" CEILING

PRODUCT ID	INITIAL DISPOSITION	LATCH STYLE
CS-418P	DO NOT DISPOSE OF THIS PRODUCT IN A MANNER THAT WILL CAUSE IT TO BE RECOVERED OR REUSED. HARDWARE IS NOT RECOVERABLE. THIS PRODUCT CONTAINS A BATTERY. IT IS THE USER'S RESPONSIBILITY TO PROPERLY DISPOSE OF THE BATTERY. THIS PRODUCT MAY BE RECYCLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.	RECESSED
CS-418P	DO NOT DISPOSE OF THIS PRODUCT IN A MANNER THAT WILL CAUSE IT TO BE RECOVERED OR REUSED. HARDWARE IS NOT RECOVERABLE. THIS PRODUCT CONTAINS A BATTERY. IT IS THE USER'S RESPONSIBILITY TO PROPERLY DISPOSE OF THE BATTERY. THIS PRODUCT MAY BE RECYCLED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.	RECESSED

FRONT ELEVATION

SECTION

LEGAL NOTE:

THE GENERAL CONTRACTOR / HOME OWNER AGREES THAT, BY PAYING FOR THESE PLANS, RESIDENTIAL DESIGN HAS MADE EVERY EFFORT IN PREPARING & CHECKING THESE PLANS FOR ACCURACY. THE GENERAL & SUB CONTRACTORS, HOME OWNER, AND MATERIAL SUPPLIERS MUST REVIEW ALL DIMENSIONS, STRUCTURAL DETAILS, & NOTES BEFORE ORDERING MATERIALS OR BEGINNING ANY CONSTRUCTION AND ARE HEREBY MADE RESPONSIBLE FOR ANY FOUND DISCREPANCIES UNLESS BROUGHT TO THE ATTENTION OF RESIDENTIAL DESIGN FOR CORRECTION.

NORTHERN BUILDERS & HOMES

PROPOSED HOME FOR: **COLETTE ERBACH**
E-MAIL: ***rdesign1958@yahoo.com***



RESIDENTIAL
DESIGN & CONSULTING
715 - 276 - 3249
JEFF
HUEHNERFUSS
ARCHITECTURAL
DESIGNER

SHEET
2 OF 3
LAST REVISION DATE:
3 - 20 - 24 10 - 28 - 24 11 - 14
1 - 14 - 23 3 - 0 - 23

**STEVEN C. GARBOWICZ
ATTORNEY AT LAW**

221 S. First Street
P. O. Box 639
Eagle River, WI 54521
715-479-6444 ext. 1
Fax: 715-479-3021
sgarbo@oabglaw.com

BRANCH OFFICE
Tomahawk, WI 54487
Telephone: 715-453-6921

July 16, 2025

VIA EMAIL ONLY

Robin Ginner

Re: Zoning Problem /Substandard Lots

Dear Robin:

With respect to the zoning and the 50-foot-wide lots which are nonconforming with our current Ordinance, I believe this was all discussed when this current Ordinance was enacted with the 60-foot-wide minimum. The only option for these people is a variance. I don't know any other way around the Zoning Ordinance and I don't even know how we would amend it unless we did it specific by area such as the Lake Park Addition to the City of Eagle River. If these lots, however, are scattered all across the City, and by that I mean the 50-foot-wide lots, that would be a problem to address in any amendment and I can only think of a variance. The only other thing that pops into my mind would be to amend the Ordinance and admit that the 50-foot-wide lots are nonconforming pass an Ordinance that grandfathers them in and permits their sale and development and probably that would require some minimum square footage. Obviously in the future we cannot create 50-foot-wide lots.

I can't think of any other any other way around this. If you want to talk about this, I would be more than happy to do so.

Sincerely,



Steven C. Garbowicz

SCG:alc

ARTICLE VII. BULK REGULATIONS

Sec. 106-561. Schedule of regulations.

(a) *Notes.* These footnotes apply to the following schedule:

- (1) Where the principal buildings on the lots adjacent to the proposed principal building have a different setback, the zoning administrator may approve the location of the building on the lot so as to conform as far as practicable with the existing setbacks. For corner lots the Zoning administrator may use the primary front setback of the principal building on the adjacent lot.
- (2) A setback of 20 feet is established on both sides of Wall Street from Second Street to the city limits.
- (3) A setback of 20 feet for business and residential uses is established on the north side of STH 70 and STH 17 in the following areas: On all lots abutting on the north side of STH 70 and STH 17, from Railroad Street to Bridge Street.
- (4) Garage and accessory buildings will have a minimum setback of ten feet from the alleyway.
- (5) Direct exterior lighting requires that lumens at the property line are -0- lumens and cannot directly interfere with the neighbor's property.
- (6) Camping is not allowed in any of the zoning districts except as a conditional use in the park and recreation district.
- (7) Community and other living arrangements as described in Wis. Stats. 62.23 (7)(i) will be governed by the terms of that statute.
- (8) Temporary storage for 30 days or more a permit is required.
- (9) The electric, water, sewer or gas meters are not allowed unless permitted by the zoning department on any property in the city.
- (10) Utilities will not be connected to vacant property. A residential or commercial structure must be present, or in the process of actively being built, before electric, water and/or sewer utility service will be connected to the property.

(b) *Zoning schedule.*

	<i>Minimum Lot Requirements</i>		<i>Setbacks</i>				<i>Maximum Building Height</i>
<i>District</i>	<i>Area in Square Feet</i>	<i>Lot Width</i>	<i>Front (1)(2)(3)</i>	<i>Corner Street Side</i>	<i>Each Side</i>	<i>Rear (4)</i>	<i>Feet</i>
Single-family Width = (Minimum building 20 feet)	7,200	60	20	15	7	10	30
Single- and two-family	1 and 2 units = 7,200	60	20	15	7	10	30

Accessory Structure	n/a	n/a	District Front Setback	15	5	5 (10 Alley)	22
Multiple-family	2 units = 7,200; 3 units = 8,200	60	20	15	7	10	30
	4 or more units = 9,200 minimum for first 4 units, 1,000/unit for the balance	70	20	15	7	10	40
Office/residential Residential uses	1 & 2 units = 7,200	60	20	15	7	10	30
Downtown commercial	0	0	0	0	0	0	50
Highway commercial	0	0	20	15	7	10	50
Industrial	0	0	20	20	20	10	50
Industrial Adjoining a residence district	0	0	20	25	25	25	50

(Code 1972, § 17.36; Ord. No. 425, 4-20-2005; Ord. No. 488, 7-14-2009; Ord. No. 504, 1-11-2011; Ord. No. 567, 1-12-2021; Ord. No. 568, 1-12-2021; Ord. No. 582, 2-14-2023)

Editor's note(s)—Ord. No. 488, adopted July 14, 2009, set out provisions intended for use as subsection 106-561(a)(7). Because said subsection already exists, and at the editor's discretion, these provisions have been included as subsection 106-561(a)(8).

Secs. 106-562—106-590. Reserved.



ORDINANCE NO. [XXXX]

AN ORDINANCE TO AMEND ZONING REGULATIONS RELATED TO MINIMUM LOT SIZE FOR ORIGINALLY PLATTED RESIDENTIAL AND OFFICE-RESIDENTIAL DEVELOPMENT

WHEREAS, the City of Eagle River recognizes that a number of residential and office-residential lots within the city limits were legally platted and recorded prior to the adoption of current zoning regulations; and

WHEREAS, many of these original lots are 50 feet in width and a minimum of 6,000 square feet, and were intended for residential and office-residential development at the time of their creation; and

WHEREAS, the current zoning ordinance sets minimum lot width and area standards that render such lots nonconforming and undevelopable without a variance, thereby limiting the use of legally created parcels and creating unnecessary barriers to infill development;

NOW, THEREFORE, the Common Council of the City of Eagle River does hereby ordain as follows:

SECTION 1: AMENDMENT TO ZONING CODE

The City of Eagle River Zoning Ordinance is hereby amended by adding the following subsection to the section governing minimum lot size and width requirements in residential districts:

106-562: Exception for Originally Platted Residential and Office-Residential Lots

Notwithstanding any other provision of this code, any residential and office-residential lot that:

1. Was legally platted and recorded prior to the adoption of this ordinance,
2. Has a lot width of at least 50 feet and 6,000 square feet, and
3. Meets all other applicable dimensional standards (e.g., setbacks, height, and lot coverage)

shall be considered a buildable lot as a matter of right and shall not require a variance or conditional use permit for development, provided that the proposed use complies with all applicable zoning district regulations.

SECTION 2: SEVERABILITY

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected and shall remain in full force and effect.

CITY OF EAGLE RIVER *Wisconsin*

SECTION 3: EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as required by law.

Passed and adopted this ____ day of _____, 2025.

CITY OF EAGLE RIVER COMMON COUNCIL

By: _____

Mayor

Attest: _____

City Clerk