

MINUTES

PLANNING AND DEVELOPMENT MINUTES

January 6, 2016

Members present: Ken Capelle, Steve Gueths, Marlin Noffke, Gene Hoppe, and Tom Kautza

Members absent:

Others present: Robert Jacobson, Zoning Administrator and Christa Hoffman, County Planner

Location & Time: Room A & B, Shawano County Courthouse at 8:30 AM

Chairman Capelle opened the public hearing at 8:30 AM

CU-1-16: Robert Schmidt, agent for Caroline Legion Post, owner, appeared to request conditional use for filling/grading in excess of 2,000 square feet on slopes less than 12% within 300' of the ordinary high water mark of the Caroline Pond located in Section 14 of the Town of Grant. Schmidt explained the Post is allowing the Town of Grant to construct a 70' by 100' parking lot area on their property for fire truck access to the water resource and for vehicle and trailer parking. Schmidt stated this was, in part, a trade-off for the Town to abandon a roadway that was never developed but which abutted the water adjacent to their ball park. Questions from the Committee were answered. Jacobson read the Town decision sheet recommending approval. No other correspondence, either oral or written was presented at the public hearing.

CU-2-16: Bill Kuchta Sr., agent for Warren Werner, owner, appeared to request conditional use for the establishment of personal storage/mini-warehouses and to establish an Outdoor Sales, Display and Repair Land Use located in Section 4 of the Town of Maple Grove. Kuchta stated he would erect one storage unit initially with 3 more planned units. Kuchta explained his surfacing and drainage of the area. Kuchta also explained he would like to have U-Haul rentals and other equipment available for rental purposes. Interior lighting of the rental units was discussed as this is not something the land use is prohibited from having. Questions from the Committee were answered. Jacobson reported the Town recommends approval with interior lighting but no interior electrical outlets. No other correspondence, either oral or written was presented at the public hearing.

Z-1-16: Steve Wittman appeared to request zone change from FP, Farmland and Forest Preservation to AR, Agriculture Residential on a 57.59-acre parcel located in Section 22 of the Town of Washington. Wittman explained he is interested in selling his land which abuts White Clay Lake for the purpose of constructing a non-farm single family dwelling. Questions regarding driveway access and access to the lake were answered. Jacobson reported the Town is recommending approval. No other correspondence, either oral or written was presented at the public hearing.

Chairman Capelle closed the public hearing at 8:51 AM.

1) Chairman Capelle called the meeting to order at 8:52 AM
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2) Motion by Steve Gueths, second by Tom Kautza to deviate from order of items listed on agenda if deemed necessary. Motion carried.

3) Public comments: None

4) Committee reviewed minutes from the November 30, 2015 and December 2, 9, 21, and 28, 2015 Planning, Development, and Zoning Committee meetings. Motion by Tom Kautza, second by Gene Hoppe to approve the minutes as submitted. Motion carried.

5) Public hearing request: Committee reviewed, discussed and took action as follows.

CU-1-16: Motion by Gene Hoppe, second by Steve Gueths to recommend approval with conditions. Vote: 5 Yes 0 No. Motion carried. Committee then discussed if a refund should be given the Town for their public hearing fee. Jacobson noted the county has public hearing costs and staff time invested with this request. Motion by Steve Gueths, second by Tom Kautza to not authorize any refund. Vote: 5 Yes 0 No. Motion carried.

Conditions for CU-1-16

1) Erosion control methods shall be implemented prior to any land disturbing activities, maintained at all times during every phase of the project, and not removed until all disturbed ground abutting the parking area has an established vegetative cover.

CU-2-16: Motion by Gene Hoppe, second by Marlin Noffke to recommend approval with Conditions. Vote: 5 Yes 0 No. Motion carried.

Conditions for CU-2-16

FOR OUTDOOR SALES, DISPLAY AND REPAIR

- (a) The appropriate County approval authority shall require a landscaped bufferyard in the yard where the use abuts a residential use or a residential zoning district, per the standards in Section X.5.06 (1).
- (b) Outdoor sales, display or repair areas shall be set back from all property lines and roads a distance equal to the minimum required yards for principal buildings and shall not be located within any required landscaped bufferyard.
- (c) The display of items shall not interfere with traffic visibility or reduce or inhibit the use or number of parking spaces provided on the property below the requirement. If the number of provided parking spaces on the property is already less than the requirement, such display area shall not further reduce the number of spaces already present.
- (d) Outdoor display shall be permitted during the entire calendar year, except if otherwise limited by conditional use permit.

FOR PERSONAL STORAGE/MINI-WAREHOUSING

- (a) The appropriate County approval authority shall require a landscaped bufferyard in the yard where the use abuts a residential use or a residential zoning district, per the standards in Section X.5.06 (1).
- (b) Shall not involve the on-site holding, storage or disposal of hazardous wastes as

defined by Wisconsin Statutes.

- (c) Storage units are allowed to have interior lighting but no interior electrical outlets. The maintenance building may have both interior lighting and access to electrical outlets.
- (d) Aside from storage, no business activity shall be operated from or outside of any partitioned area within a personal storage facility/mini-warehouse.

Z-1-16: Motion by Ken Capelle, second by Tom Kautza to recommend approval and forward to the County Board on January 27, 2016. Vote: 5 Yes 0 No. Motion carried.

- 6) Discuss and take possible action on complaint form for zoning ordinance violations: Jacobson reviewed a proposed complaint form to be used by complainants. Committee discussed form and agreed it is reasonable for the stated purpose. Consensus of the Committee is to begin using the form and have it placed on the County Website.
- 7) Review of final County Surveyor Agreement: Jacobson noted the major changes from the previous agreement were the salary and hours worked per week. No action was taken as the agreement is signed and currently in effect.
- 8) Interpretation of Agricultural Home Occupation in the Town of Washington: Jacobson explained a previous conditional use approval was granted for furniture sales that is occurring from an attached room of a single-family dwelling. The owner now proposes to expand the furniture offerings to include bedroom furniture and needs to construct a larger separate building to accommodate the expansion. Jacobson asked the Committee if this should be permitted, require another conditional use permit or be rezoned to a Commercial district. Motion by Gene Hoppe, second by Marlin Noffke to allow this to be permitted contingent on confirmation with the Town of Washington. Vote: 5 Yes 0 No. Motion carried.
- 9) Discuss and take possible action on zoning violation in the Town of Wittenberg: Jacobson Explained a property owner has moved a single-wide mobile home onto their property Without obtaining the required permits (zoning and sanitary) from the County. Jacobson explained the department has been working with the owner since June of this year to no avail regarding compliance. Jacobson noted the Town of Wittenberg is requesting formal action to by the County to compel the owner to come into compliance. Consensus of the Committee is to have Jacobson prepare a list of the communications that the department has had with the owner and to schedule a time to visit the property and hopefully meet with the owner.
- 10) Discuss and take possible action on a Health, Junk and Environmental Hazard Ordinance Violation in the Town of Fairbanks: Jacobson reported that the Town Board of Fairbanks has Referred a complaint to the department and has followed the proper procedures to try and Obtain compliance at the local level. Pictures of the property were viewed by the Committee. Consensus of the Committee is that an ordinance violation is occurring and that the Committee Should schedule a time to conduct an onsite inspection. Jacobson is to send the owner a letter stating a violation exists and that the County is going to initiate action.
- 11) Final review of Shoreland Zoning Ordinance amendments: Christa Hoffman reviewed process of the amendments with the Committee. Gene Hoppe questioned the Official Maps and where they can be viewed. Hoffman stated the maps are available in the County Planning Department and at online resources as well. Consensus of the Committee is to have the

draft ordinance placed on the County Website and forwarded to a list of interested parties which Hoffman will do.

- 12) New business that is requested for future upcoming Committee meetings: Gene Hoppe requested that the Committee set a date to perform onsite inspections of the zoning Violation in the Town of Wittenberg and the Health, Junk and Environmental Hazard Ordinance violation in the Town of Fairbanks.
- 13) Review and approve the accounts payable for the month of December 2015: Motion by Steve Gueths, second by Marlin Noffke to recommend approval. Vote: 5 Yes 0 No. Motion Carried.
- 14) Operational issues: Committee discussed setting a date and time to view the violations in Wittenberg and Fairbanks. Consensus of the Committee is to set January 28, 2016 at 9:00 AM for the inspections.
- 15) Committee comments: Ken Capelle asked Hoffman to update the Committee on the Interviews for the project coordinator for the Plan 4 Health grant. Hoffman noted 4 very well qualified candidates were interviewed. An offer will be made to an individual upon reference checks.
- 16) Set next date for the regular Committee meeting: Date is set for February 3, 2016 at 8:30 AM in Room A&B, Courthouse.
- 17) Adjournment: Motion by Steve Gueths, second by Gene Hoppe to adjourn the meeting at 11:02 AM. Motion carried.

Respectively submitted by,

Marlin Noffke, Secretary

Robert Jacobson, Acting