

TOWN OF ST. GERMAIN  
P.O. BOX 7  
ST. GERMAIN, WISCONSIN 54558

[www.townofstgermain.org](http://www.townofstgermain.org)

Minutes, Zoning Committee  
December 07, 2016

1. **Call to Order:** Meeting was called to order by Chairman Ritter at 5:30pm.
2. **Roll Call:** Present: Ted Ritter, Marion Janssen, Gerry Hensen, Jim Swenson, Tim Ebert.  
Absent: Timm Faesi
3. **Open meeting verification:** Meeting was properly posted on December 03, 2016
4. **Citizen Concerns:** There were none
5. **Approval of minutes:** Motion by Swenson, second by Janssen to approve meeting minutes of October 05, 2016. Motion approved unanimously.
6. **Discussion/Action:**
  - a. **Check for a zoning permit that was returned for non-payment:** After discussing the history of this situation, consensus was to refer the matter to the town board for guidance on how to proceed. Ritter will add this to the 12/12 town board meeting agenda.
  - b. **Mobile home on Melody Drive:** An “old” mobile home has been in existence in Holiday Estates for many years. It apparently changed hands recently (no know real estate transaction) and was relocated to a different parcel in Holiday Estates. The current owner has not yet submitted a zoning permit application for the new location, but has obtained an application form to do so. An informal conversation between Ebert and Ritter earlier in November resulted in Ebert informing the owner there would likely be no problem with issuing the permit. Committee review of the situation raised several concerns.
    - i. Our Chapter 3 zoning ordinance requires that mobile homes manufactured prior to June 15, 1976 be in “habitable condition”. The ordinance fails to provide a

definition of habitability or a procedure for determining such. Information revealed at the meeting by committee members familiar with the mobile home suggested the habitability of this structure to be questionable.

- ii. Consensus of opinion was that our ordinance should be revised to require zoning permit applicants for mobile homes manufactured prior to June 15, 1976 to submit a qualified inspection report confirming habitability. Such a judgement should not be the responsibility of the Zoning Committee. Ritter will check with WTA to determine if WI statutes specify what agency (HUD?) or category of building inspectors has authority for mobile home habitability inspections. The owner of the mobile home in question will then be advised in writing by Ritter that a habitability inspection report will be required as a condition for the Zoning Administrator to issue a zoning permit.
- c. & d. **Consider and itemize positive and negative consequences if St. Germain were to rescind its Zoning ordinances. Develop a committee position statement for town board consideration in response to possibility of St. Germain rescinding its Zoning related ordinances:** A lengthy discussion produced a list of shortcomings in the County Zoning ordinance that could lead to perceived or actual St. Germain property value reductions. The unanimous position of committee members present was that St. Germain zoning ordinances should not be rescinded, but, to the contrary, should be more actively enforced. Ritter will prepare a draft report to the town board and distribute it to committee members for review prior to submitting it to the town board for consideration at its January 9<sup>th</sup>, 2017 regular monthly meeting.

7. Committee member concerns:

- a. Swenson reported that the Non-motorized Trails Committee is requesting clarification of trail setback requirements. Guidance from Ebert and corresponding consensus of committee members was that recreational trails meeting the definition of a travelway as provided in Chapter 4.01, St. Germain Code of Ordinances, are subject to a 5' property line setback. Trails not qualifying as a travelway have no setback requirements.
- b. Ebert reported he is getting complaints about the town's lack of action in response to a mobile home being placed on a lot zoned to prohibit mobile homes. Ritter had a conversation with the property owner during the summer at which time he was tent camping on the property while allegedly preparing for construction of a new home. The landowner promised that a town zoning permit would be applied for very soon for construction of the home and a county sanitary permit would also be obtained. Ritter

explained there are presently no enforceable ordinances prohibiting a land owner from camping on his property during construction of a home but that a draft revision of the town's zoning ordinance will, when adopted, allow for such with certain restrictions. Ritter encouraged the owner to obtain his zoning and sanitary permits and start construction to minimize his time camping on the property. Now, several months later, the landowner has positioned, and is apparently occupying at least part time, a mobile home on the property. No town zoning permit for construction of a dwelling has been applied for and there are no visible sanitary permits posted. Ritter will send the owner a letter advising him that the mobile home is in violation of town zoning and must be removed.

8. **Next meeting:** January 04, 2017, Community Center, Room 5.

9. **Adjournment:** Meeting was adjourned at 7:25pm