

# PLANNING & ZONING COMMITTEE

## TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

www.townofstgermain.org.

### MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: NOVEMBER 17, 2008

**Meeting Type:** Regular Meeting of the P & Z Committee. The chairman noted that this was a duly called meeting in accordance with the Wisconsin Open Meeting Law.

1. **Call to Order:** Chairman, Todd Wiese, called the meeting to order at 4:00 P.M.
2. **Roll Call -Members Present:** Todd Wiese, John Vojta, Lee Holthaus, Mary Platner, Marion Janssen, Tim Ebert, Zoning Administrator, Tom Martens, Town Clerk.
3. **Approve Agenda:** Motion Vojta seconded Platner that the agenda be approved in any order at the discretion of the chairman. Approved.
4. **Approval of Minutes:** Motion Holthaus seconded Janssen that the minutes of the October 20, 2008 regular committee meeting be approved as written. Approved.
5. **Public Comments:** There were no public comments.
6. **Zoning Administrator Report – Discussion/Action:**
  - 6A. **Serenity Bay Condominium Setback Plan:** Mr. Wiese stated that he had not heard anything from either Cornerstone or Rick Lovdal concerning the Serenity Bay setback problem. Mr. Ebert stated that he had met with Darren Rubo several weeks ago and saw that the stakes for the relocation of Halberstadt Road were there. Ms. Janssen noted that Mr. Lovdal had told her that there had been a meeting with Pitlik & Wick and Mr. Ebert. Mr. Ebert said that he had not been at a meeting with Pitlik. Mr. Vojta added that the Planning & Zoning Committee had not given final approval of any plan, and that the town board would have to give the final approval. Mr. Ebert stated that he had not given Mr. Lovdal permission to continue with the interior of the units.
  - 6B. **Howard Beaver, Jr. Property:** Mr. Ebert noted that Mr. Beaver had still not filled in the basement of the old lodge at Forest Primeval. Mr. Wiese stated that he would call Mr. Beaver.
7. **Ordinance Amendments – Discussion/Action:**
  - 7A. **Review of Sign Ordinance Progress – Anticipation of Moratorium Extension. Platner:** Ms. Platner stated that since it would take Vilas County two months to give approval, and the committee still had to do a survey of existing signs, and the permit and applications still had to be revised, there would have to be an extension of the off-premise sign ordinance. Motion Platner seconded Holthaus that the off-premise sign moratorium be extended as published until June 30, 2009. Approved.

Ms. Janssen thought that if someone applied for an off-premise sign between now and June 30, 2009, the application should be looked at on an individual basis. Mr. Vojta thought that the committee should work on the requirements for new signs first. Once that was completed, he thought work should begin on what should be done about existing signs. Mr. Holthaus asked how long it was going to take Oneida County to decide on what to do with the off-premise signs that are along Hwy. 70 in Newbold.
  - 7B. **Ordinance Book Status:** Mr. Wiese noted that Kris Main had finished the ordinance book. She had already submitted her final bill. Mr. Wiese also noted that all that was left was to assign numbers to the ordinances. Mr. Wiese also stated that since Mr. Martens felt that he didn't know how the committee wanted the ordinance numbers to be assigned, that he would work with Ms. Platner to assign the numbers.
  - 7C. **Above Ground Gas Storage System Review. Fire Department Application Forms. (Ebert):** Mr. Wiese stated that the Fire Department above ground gas storage safety ordinance had been posted and published. Mr. Ebert stated that the applications were being completed. Mr. Wiese also stated that he had taken ordinance 1.53 and the amendment to section 1.36 into Vilas County. Once they are reviewed by the corporate counsel, then the zoning committee and approved by the Vilas County Board, they will become effective.

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Mr. Ebert asked what he should do with the application if Mr. Krist applies for a permit. Mr. Wiese stated that according to Attorney Steve Lucareli that since the ordinance is in progress the town can deny the permit.

**8. Re-zonings – Discussion/Action:** There were none.

**9. Conditional Use Request - Discussion/Action:**

**9A. Carlson C.U.P. Review:** Mr. Wiese noted that Ms. Janssen had asked for the item on the agenda. Ms. Janssen stated that she had talked to Gail Carlson. Ms. Carlson said that she had been told by a member of the Board of Appeals that according to section 1.70(6) of the zoning ordinance, that since it took longer than 45 days for the Planning & Zoning Committee to take action. The committee is of the opinion that they did take action within the required time frame. The fee had been returned to Ms. Carlson, and she had been told that she could reapply for a C.U.P.

**10. Plat and Survey - Discussion/Action:**

**10A. Balsam Lodge Condo Plat Update:** Mr. Wiese noted that Balsam Lodge had been sold to a private owner and that the property would not be held as a condo as was originally requested.

**10B. Addendum to Elbert's Resort Condominium. (Favorite-Maines Surveyors, Agent:** Greg Maines was present to explain that the vacant unit #10 of Elbert's Resort Condominium had been sold. The new owners wanted to build a home. However, in order to allow the building to fit, unit #10 had to be moved slightly. A majority of the condo association owners approved of the change. Mr. Maines submitted a check for the review fee. The new owners of unit #10 had applied for a building permit. Motion Holthaus seconded Janssen that the 2<sup>nd</sup> Addendum to Elbert's Resort Condominium dated November 17, 2008 be approved as presented. Approved. Mr. Ebert was concerned about the setback that was shown on the plat for property that was owned by Jerry Pruitt. Mr. Maines stated that the buildable space was at least the required 15 feet.

**11. Miscellaneous Agenda Items – Discussion/Action:**

**11A. Review of Serenity Bay Condominium Setback Issues (Ebert):** Mr. Wiese noted that this had already been discussed under the Zoning Administrator's report.

**11B. Portable Structure Setback Requirements:** Mr. Wiese noted that the canvas or metal covered portable carports that were appearing in town prompted this discussion. Mr. Ebert stated that if the structures were enclosed with walls of some type, he considered them permanent and they would require a permit and have to meet all of the setback requirements. But, if they were not enclosed he considered them temporary. Either way, Vilas County required a permit.

**11C. Setback Review of Perk's Condominium Resort, Douglas Kohlbeck-owner. (Ref. Ss.703.27):** Mr. Wiese noted that at a previous meeting, the committee had granted a permit to Douglas Kohlbeck to extend his deck. The original buildable space for his condo had come within five feet of the lot line as was required at the time. Since that time, the setback had been changed to 15 feet. The committee felt that Mr. Kohlbeck's buildable space would be grand fathered. Mr. Wiese stated that the Vilas County Administrator had quoted section 703.27 of the Wisconsin Statutes which states that a condo cannot be treated any differently than any other form of ownership. In other words, Mr. Kohlbeck's buildable space could not be grand fathered.

Mr. Kohlbeck's new deck is not attached to the old deck. But, it is permanently attached to the ground. The new deck section could be moved and placed along another side of the condo. A lengthy discussion followed. It was decided that Mr. Wiese would discuss the problem with the Vilas County Corporate Counsel. If necessary, he would contact the town's attorney. Vilas County wants Mr. Kohlbeck to move the deck. Since the town permit had been issued, the committee is not sure what to do.

**12. Letters and Communication:**

**12A. Greg Baas Inspection Agency Letter:** Mr. Wiese noted that he had received a letter from Greg Baas asking that he is considered for the town's UDC inspector position. The current contract with Darin Pagel renews automatically. It was decided that the committee would compare the fees and qualifications of both men to see if there should be a change.

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**12B. Dorway Condo Addendum:** Mr. Wiese noted that he had still not heard anything from Tom Boettcher concerning the road names in the Dorway Condominium. The committee has not approved the addendum

**13. Committee Concerns:** There were none.

**14. Set Time and Date of Next Meeting:** The next regular monthly Planning & Zoning Committee meeting will be held on Monday, December 15, 2008 at 4:00 P.M. in meeting room #4 of the Community Center.

**15. Adjournment:** Motion Janssen seconded Platner that the meeting be adjourned. Approved. Meeting adjourned 5:45 P.M.

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Town Clerk

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Chairman

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Vice Chairman

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Member

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