

PLANNING & ZONING COMMITTEE

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TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

townofstgermain.org

MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: JANUARY 3, 2005

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:** The meeting was called to order at 5:00 P.M. by Ed Odette, Chairman
2. **Roll Call -Members Present:** Bill Joost, Ed Odette, Ted Ritter, Mary Platner, Todd Wiese, Tim Ebert-Zoning Administrator, Tom Martens-town clerk. Ruth Consoer, Dave Consoer, Mary Johnston, and Brad Waldmann were also in attendance.
3. **Approve Agenda:** Motion Ritter seconded Platner that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Ritter seconded Joost that the minutes of the December 6, 2004 meeting be approved as written. Approved.
5. **Public Comments:** There were no public comments.
6. **Zoning Administrator Report – Discussion/Action**

6A. Travelway Permits: Motion Ritter seconded Wiese that travelway permit be issued to Phil Monday on South Bay Road, and John Kazda on Crestwood Drive in Pine Acres. Approved.

6B. Waldmann Request Hemlock Road: Mr. Ebert reported that Brad Waldmann would like to enclose a screen porch and straighten a wall on a cottage that he owns on Hemlock Road. The cottage is within 75 feet of the water. It is non-conforming. The existing sidewalk is two feet from the side lot line. Mr. Ebert stated that he felt that according to the town zoning ordinance the permit should be issued. However, Mr. Ebert also stated that he felt gun-shy especially after what has happened with the Scott Palmer request. Mr. Joost stated that the committee should have items such as this prior to the meeting so that the members could study the situation. Motion Joost seconded Platner that the matter be tabled for further study. Motion failed by a two to three vote. At this time, Mr. Joost left the meeting (5:15 P.M.). Mr. Ritter explained that he was in favor of having more time to study the request. However, he also stated that he voted against tabling the request as a vote of confidence to Mr. Ebert trusting his judgment that the permit should be issued. Motion Ritter seconded Wiese that the permit be issued to Brad Waldmann. Approved. Justification for the permit is section 1.57(3)(b)(c) of the St. Germain Zoning Ordinance and section 6.4(3)(a) of the Vilas County Shoreland Zoning Ordinance.

6C. Travelway Permit Juve Road: Mr. Ebert stated that a travelway permit issued to a man named Elmer on the Juve Road a few years ago was still good. Any easement questions between

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Elmer and Dave Consoer would have to be settled by them. Mr. Consoer stated that everything had been taken care of

6D. Scott Palmer Property: Mr. Ebert asked what was happening concerning the Scott Palmer property on Big St. Germain Lake. Mr. Wiese felt that if the Board of Appeals had not acted within 45 days of receiving the information from the Planning & Zoning Committee, the permit should be issued. It was suggested that Jim Wendt, chairman of the Board of Appeals, be called.

6E. UDC Inspections: Now that Uniform Dwelling Code Inspections needed to be conducted, Mr. Ebert wanted to know just what buildings needed to be inspected. Mr. Wiese stated that new construction of one and two-family homes as well as habitable additions to homes built after 1980 needed the inspections. Mr. Ebert also asked if Scott Palmer was issued a permit, would he need to have a UDC Inspection since he originally applied for a zoning permit in June of 2004. It was the opinion of the committee that he would not need the UDC Inspection.

7. Ordinance Amendments: The ordinance amendments were not discussed.

8. Rezoning – Discussion/Action:

8A. Ed and Mary Johnston Request for Zoning Change in the Downtown Business

District: Mr. Odette noted that he had received a request from Ed and Mary Johnston petitioning the committee to remove the General Business district from the residential town roads and return the Downtown Business district to the highway, to align with the County zoning. Mr. Odette also stated that he had sent a letter to Town Chairman, Jim Wendt stating that he had received the Johnston's request and that he could not see why the P & Z Committee should call a public hearing and then have the town board call another one. Since the town board had to make the decision concerning the rezoning, Mr. Odette felt that the matter should go right to the town board. Mr. Ritter felt that the Planning & Zoning Committee should hear the request. He also felt that the P & Z Committee should conduct a public hearing and then make a recommendation to the town board. From that recommendation, the town board would make its decision. Mr. Ritter wanted to hear from the people who were involved with writing of the town zoning ordinance, to find out why the zoning is the way it is, as well as hearing from the people who would be affected by the change. Dave Consoer stated that the town had already conducted several public hearings when the new zoning ordinance was written. Mr. Ebert stated that the area around Hiller's Pine Haven and Pinehurst Resort were originally supposed to be downtown business, but were not in the final draft of the ordinance. Mary Johnston noted that the county wanted the area changed from Downtown Business because of their Shoreland Zoning Ordinance. Ms. Platner noted that density seems to be the question in the big picture. Brad Waldmann asked if there were points that had to be met in order for a zoning change to occur. The committee said that they were not aware of anything like that. Willy Weber's property was brought up. Mr. Weber's property is zoned as it was meant to be zoned. There was not a mistake with the map. Mr. Wiese would like to have time to review the St. Germain Zoning Ordinance concerning the rezoning request prior to setting a time for a public hearing. Motion Wiese seconded Ritter that since there were no plans pending, and the time could be taken, the matter be tabled until the next Planning & Zoning Committee meeting. Approved. It was

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suggested that Lee Holthaus and Mr. Wendt be in attendance since they were involved with the writing of the zoning ordinance. Mary Platner noted that the Vilas County Zoning changes appear to have been dropped. Ms. Platner will call Foth & VanDyke to see if they have any information concerning the location of the zoning districts in our present zoning ordinance. There will be a special Planning & Zoning Committee meeting on January 17, 2005 to discuss the matter.

9. Subdivision Approval – Discussion/Action: No discussion.

10. Conditional Use Request – Discussion/Action: No discussion.

11. Plat and Survey – Discussion/Action: No discussion.

12. Miscellaneous Agenda Items – Discussion/Action:

12A. Waldmann Request to Abandon a Portion of Hemlock Road: Mr. Ebert stated that he had a request from Brad Waldmann for the town to abandon approximately 150 feet at the end of Hemlock Road. The reason for the request is that the septic system could then be placed in the present road right of way. Right now the road right of way runs through the garage. By abandoning the road, the buildings would no longer be non-conforming. The adjacent property owner, a Mr. Johnson, would have to grant an easement to the property beyond his property. That easement is possibly already in existence. Mr. Johnson would receive the same benefits as Mr. Waldmann if the town road were to be abandoned. Brad Waldmann agreed that all expenses incurred with abandonment would be his. The matter will be placed on the agenda of the January 17, 2005 special meeting. The committee would like a letter from Mr. Johnson voicing his approval of the abandonment prior to the special meeting.

12B. Chamber of Commerce Electronic Sign: Mr. Ritter stated that the committee cannot even address the matter without a sign ordinance. The present sign ordinance proposal does not address electronic signs at all. The sign would need a zoning permit. At this point the Chamber of Commerce is seeking help with the financing of the sign. There have been no definite plans.

13. Letters and Communications: There were no letters or communications.

14. Committee Concerns:

14A. Bill Joost: Mr. Ritter noted that as he was leaving the meeting, Mr. Joost told Mr. Ritter that the committee should look for a replacement for him. Mr. Odette stated that if Mr. Joost did want to resign from the Planning & Zoning Committee, he should submit an official resignation.

14C. Zoning Revisions: Mr. Ebert asked when the committee was going to take care of the zoning changes that needed to be done. Mr. Ebert especially noted that sections 1.57 and 1.58 should be looked into.

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15. **Time and Date of Next Meeting:** The next special Planning & Zoning Committee meeting will be on Monday, January 17, 2005 at 5:00 P.M. in the boardroom of the Old Red Brick Schoolhouse.
16. **Adjournment:** Motion Wiese seconded Platner that the meeting be adjourned. Meeting adjourned 6:35 P.M.

Town Clerk

Chairman

Vice Chairman

Member

Member

Member