

# 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](http://townofstgermain.org)

### MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: JANUARY 31, 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 Todd Wiese, Chairman
2. **Roll Call -Members Present:** Ted Ritter, Mary Platner, Todd Wiese, Tim Ebert-Zoning Administrator
3. **Approve Agenda:** The committee approved the agenda as posted.
4. **Approval of Minutes:** Motion Platner seconded Ritter that the minutes of the January 17, 2005 special meeting be approved with the following corrections: (1) Mr. Ritter's comments be removed from section 6C; and "stated" be added to line #4 of section 5A. Approved.
5. **Public Comments:** There were no public comments.
6. **Zoning Administrator Report – Discussion/Action:** Mr. Ebert had nothing to report.
7. **Ordinance Amendments:**
  - 7A. **Review/Recommend Lot Area Dwelling Requirement for Ord. 1.35 Community, Highway Business:** A section "A" be added for Non-Residential Lots. A section "B" be added for Residential Lots Used for Duplexes and Multiple Family Dwellings.
  - 7B. **Review/Recommend Lot Area Dwelling Requirement for Ord. 1.36 Downtown Business:** Residential lot area requirements were left out by an omission error. They should be added and made compatible with other residential lots at 1.5 acres. This also helps to allow for a buffer. It was also meant to discourage a residence in downtown business. A single family home would require 65,340 sq. ft. (1.5 acres). Additional dwellings require an additional 12,000 square feet. At this point any size detached garage could be built. Garages will have to be considered later.
  - 7C. **Review/Recommend Change to Ord. 1.51, Private Roads And Driveways:** The wording should be "All private roads and driveways must enter a town road at a grade at or below the level of the roadway to a depth of 33 feet from the center line of the town road or employ appropriate measures to prohibit excessive runoff." The section was also renumbered.
  - 7D. **Review/Recommend Addition of "Vacant" to Ord. 1.58 Non-Conforming Lot:** It was suggested that Ord. 1.56(4) be titled "Existing Non-Conforming Conditional Uses". Mr. Joost had suggested that Ord. 1.55(2) and Ord. 1.55(4) contradicted each other. He thought that Ord. 1.55(2) should be repealed. This will have to researched some more. Ord. 1.55(2) addressed

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Existing Conforming while Ord. 1.56(4) addresses Existing Non-Conforming. Ms. Platner suggested that the committee get an opinion from someone familiar with the town zoning ordinance. Ms. Platner will talk to Dick Gern.

There was a discussion concerning Ord. 1.56(4)(b)(a), Exceptions Requiring a Zoning Permit. As written, Mr. Ebert would have to go out to measure in order to determine what size garage could be built. It was suggested that there be a section #1 for unattached garages and a section #2 for attached garages. Mr. Ritter suggested that “principle structures” be removed and that “building to which it is to be attached” be added.

There was also a discussion concerning Jackson’s Resort. Last year the Jackson’s came in and asked that they be allowed to tear down a cottage and replace it on the same footprint with an addition of not more than 20% of the original cottage. Permission was granted. A zoning permit was issued. The county had no problem with the construction. Mr. Ebert asked what this committee’s opinion would be. Is removal of the entire cottage an “alteration”? As long as all of the setback requirements are met, Mr. Ebert felt that there should be no problem. This problem arises only in resorts that are conditional uses in most districts.

**7E. Review/Recommend change in procedures to Ord. 4.01/4.02/4.03 Issuance Of Travelway Permit:** A travelway would have to be at least eight feet wide. There was a discussion concerning boardwalks and bridges. As long as they do not come up to a town road, they are of no concern. If under four feet wide, they are permitted now. The travelway ordinance was meant for motor vehicle travel.

Ord. 4.02 should be eliminated and rewritten. It would give the town zoning administrator sole authority to issue a travelway permit without having approval of the Planning & Zoning Committee. Ord. 4.02(b)(c) states that the zoning administrator is to determine the impact that the travelway will have on the animal and plant habitat. How is Mr. Ebert to do that? Ord. 4.02(2)(b) and Ord. 4.02(3) require that the land owner supply the zoning administrator with all of the required information concerning the habitat. If Mr. Ebert has any questions concerning a proposed travelway, he can still bring it before the Planning & Zoning Committee for approval.

Under #5, there will be automatic approval after 30 days rather than 21 days since the Planning & Zoning Committee intends to meet only once a month. Under #6, Mr. Ebert may bring questionable permit requests before the Planning & Zoning Committee with all pertinent documentation given to the committee chairman prior to the committee meeting so that the information can be dispersed to the other committee members for study.

Mr. Ebert asked whether or not he was covered for liability under the town’s insurance policy. The question came up whether or not any appointed person was covered. Mr. Ritter will check with Meyer Insurance Associates.

Still under Travelway Permits section E. If Mr. Ebert denies a permit, travelway, or zoning, an appeal should be made directly to the Board of Appeals. The fee would be as for other appeal

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requests not variances. Appeal requests should be made to the town clerk. There would be 30 days for some type of action.

Motion Ritter seconded Platner that items 7A thru 7E of tonight's meeting agenda be brought before the committee again for review after the changes made tonight have been printed.

Approved.

**8. Rezoning – Discussion/Action:** There was no discussion.

**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. Identify Additional Areas of Concern Within Current zoning Ordinance for Future Review and Discussion.** Chapter numbers were omitted from the Land Division Ordinance. They need to be entered and should be added to the list of items under sections 7A thru 7E of this agenda.

Ord. 5.15J is still acceptable as written.

**13. Letters and Communications:** Mr. Wiese stated that he had picked up a copy of the Vilas County Resolution showing their approval of our zoning change concerning the Board of Appeals. Mr. Wiese also stated that he wanted the new Board of Appeal members to have the handbook that was being updated by UWSP. The update should be available by the time the Board of Appeals is appointed.

**14. Committee Concerns:**

**14A. Proposed Zoning Map Changes:** (1) Snowmobile Hall of Fame property is miscolored. (2) The two lots on the southern lot line of Indian Woods Subdivision are miscolored. They should be Residential Medium Density and not Community Highway Business. (3) The Whitetail Inn Property needs to be rezoned. (4) The dark green on the map should not have hash marks. There is no legend that corresponds with the hash marks. (5) Legend for Forestry and Recreation (Public Lands Only), should be replaced by Forestry and Recreation (State Lands Only). The map changes will be on the agenda for the next meeting. After which they will be passed on to the town board.

**14B. Vilas County Zoning:** Mr. Wiese stated that he had gone in to meet Dawn Schmidt, Vilas County Zoning Administrator. Mr. Wiese also stated that he wanted to work with the county, but also had to keep in mind that the town had its own zoning.

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15. **Time and Date of Next Meeting:** The next special Planning & Zoning Committee meeting will be on Monday, February 21, 2005 at 5:00 P.M. in the boardroom of the Old Red Brick Schoolhouse.

16. **Adjournment:** Motion Ritter seconded Platner that the meeting be adjourned. Approved.

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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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Member