

# PLANNING & ZONING COMMITTEE

1

## 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: FEBRUARY 21, 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:** Motion Ritter seconded Platner that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** The approval of the minutes was tabled until the next meeting.
5. **Public Comments:**
  - 5A. **Mary Johnston – Rezoning Request Letter:** Mary Johnston was present to discuss the letter that the Johnston's had sent to the town. Todd Wiese stated that originally the downtown business district was to go all the way to Little St. Germain Lake. Ms. Johnston stated that at the public hearings, nobody was in favor of that. Vilas County informed the town board that the downtown business district could not go all the way to Little St. Germain Lake because of the county's shoreline zoning. Ms. Johnston stated that the county has the property between her resort and the Eliason Financial Group property zoned as recreational. Ms. Johnston asked how any of the property could be zoned downtown business when the county's shoreline zoning includes all of the property within 1000 feet of a lake. Mr. Ritter suggested that the county considers St. Germain's zoning to be more restrictive than theirs. Mr. Ebert thought that the shoreland zoning had to do with 300 feet from the lake, which was different than recreation. Mr. Wiese stated that according to Article 11.1 of the Vilas County Shoreland Zoning Ordinance mitigation is required whenever a property owner requests a zoning permit for construction on a waterfront lot where the proposed construction is located less than 300 feet from the ordinary high water mark and involves more than 300 square feet of new or existing structure. At this time, St. Germain is not changing its zoning. Vilas County is changing theirs. Ms. Platner stated that the problem is that residential density was not addressed in the town zoning ordinance. The town at this time is working on that problem attempting to make it more restrictive to put multi-family dwellings in downtown business. The town's letter to the county was that the town board did not object to the rezoning, but the town board also did not endorse any development in the area. Ms. Johnston stated that she wasn't so concerned about residential density as commercial density. That had been the purpose of their letter. Mr. Ritter asked the committee what the Johnston's would have to do to have the property rezoned. The property would be changed from downtown business to lakeshore resort residential. All of the people affected would have to sign a petition. The cost would be \$250 per parcel involved. The property involved would run from Birchwood Drive to Little St. Germain Lake and east of Hiawatha Drive. Mr. Wiese noted that

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2

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neither the town board nor the Planning & Zoning had an opinion concerning the rezoning. They had to enforce the present zoning ordinance. The Johnston's present request has been denied. With the required fees and signatures, it is possible that such a request would be considered and a public hearing would be called.

### 6. Zoning Administrator Report – Discussion/Action:

**6A. Scott Palmer Property:** Mr. Ebert reported that Mr. Palmer would now like to construct a second story on his home rather than making it longer. Mr. Palmer would now have to amend his application. His home would still be non-conforming. Mr. Palmer should probably check with the county also.

**6B. Tim Kruse - Storage Buildings:** Mr. Ebert will get the information together and present it to the committee. Mr. Kruse is trying to check with Lee Holthaus to see if the former Planning & Zoning Committee had agreed to allow any new buildings.

**6C. Meeting Minutes Concerning Comments About Resignation:** Mr. Ebert stated that he wanted the comments concerning Mr. Joost to be removed. The committee was under the impression that the comments had been removed.

**6D. Garage on a Vacant Lot:** The St. Germain Ordinance doesn't address garages on vacant lots. The county setback is five feet on both the side and back lines. Mr. Ebert said that the prior Planning & Zoning Committee had suggested 15 feet on both the side and back lot lines since there are numerous examples of garages that are later converted into residences.

### 7. Ordinance Amendments:

**7A. Corrections to Zoning Map Legend and Color Errors of Items 1 – 5:** (1) Snowmobile Hall of Fame Property is an error and should be magenta. (2) Two southern lots in Indian Woods should be yellow. (3) All dark green property should not have hash marks. There is no legend for dark green with hash marks. (4) Should the Whitetail Inn be community and highway business? If it is a lease agreement, the zoning should probably stay as it is. The Quam property should not be public property. Mr. Wiese will check into the problem. The legend for light green with hash marks should remain public owned lands. Hash marks on white should be removed from the legend bar and its corresponding definition. Mr. Ritter stated that anything without a legend should be removed from the map. Hash marks should also be removed from the medium green, education and recreation. A final conclusion of the committee is that any hash marks indicate public lands. Hash marks should also be removed from Hwy. 70 west of Hwy. C. The part of Hwy. C that is dark green should be white. The changes will be presented to the town board.

**7B. Draft Three of Ordinance Amendments:** Motion Ritter seconded Platner that the Planning & Zoning Committee move ahead with draft four as presented. Approved. Mr. Wiese asked that Ms. Platner have the original ordinance on one page, and the changes on the second. Also, there should only be one ordinance section per page. Or, the changes could be in a different color. The town board should send the changes to legal counsel and then schedule a public hearing. Mr. Wiese stated that he had talked to Lee Holthaus concerning making all

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resorts conforming. Mr. Holthaus suggested that it be left as it is to distinguish between existing resorts and new resorts. Ms. Platner would like to retype the entire St. Germain Zoning Ordinance in a format similar to that of Vilas County.

- 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.** Ms. Platner would like to discuss accessory structures. The committee decided to work on the present ordinance before signs, lights, or blight ordinances. Accessory structures need a section of their own. It needs to be determined which structures need permits and which ones don't.

- 13. **Letters and Communications:** Mr. Ritter stated that he had found out that Tim Ebert as zoning administrator and any other appointed town official is covered by the town's liability insurance.

**14. Committee Concerns:**

**14A. Committee Volunteers:** Mr. Wiese noted that he had received three calls from people interested in serving on either the Board of Appeals or the Planning & Zoning Committee. Mr. Wiese referred them to the town chairman. Ms. Platner felt that a developer should not be on the committees. Mr. Ritter and Mr. Wiese felt that no single interest from within the community should be denied serving on the committee provided that no interests were allowed to dominate the committee's membership.

- 15. **Time and Date of Next Meeting:** The next Planning & Zoning Committee meeting will be on Monday, March 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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