

PLANNING & ZONING COMMITTEE

TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

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MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: AUGUST 18, 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, Mary Platner, John Vojta, Lee Holthaus, Marion Janssen, Tim Ebert, Zoning Administrator, Tom Martens, Town Clerk
3. **Approve Agenda:** Motion Vojta seconded Holthaus that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Platner seconded Holthaus that the minutes of the July 21, 2008 regular committee meeting be approved as written. Approved.
5. **Public Comments:** Ellen Allen and Pat Falkenstern were present to ask that the Planning & Zoning Committee adopt an ordinance to keep pornography out of St. Germain. Mr. Wiese stated that he would bring the ordinance up at the next town board meeting. If the town board wanted such an ordinance, the Planning & Zoning Committee would review similar ordinances from neighboring towns and draft the ordinance for approval by the town board. Ms. Falkenstern asked what her next step would be if the town board didn't want the ordinance. Mr. Holthaus suggested getting signatures on a petition to ask for a referendum question.
6. **Zoning Administrator Report – Discussion/Action:**
 - 6A. **Condominium Deck Setback Requirement:** Mr. Ebert reported that he had issued a permit for a deck at Perk's Condominium that fell within the allowable build able space, but also fell within eight feet of the property line. Vilas County denied the permit. It was the consensus of the committee that the property owner would have to work out the problem with Vilas County.
7. **Ordinance Amendments – Discussion/Action:**
 - 7A. **Review of Off-Premise Sign Ordinance Progress – Platner:** Ms. Platner stated that she had contacted five people to be on the sign ordinance committee. However, she was having a hard time trying to get all of the members together at one time for a meeting. Ms. Platner stated that she would be meeting individually with each person and would have him or her look at other ordinances. Ms. Platner also noted that the ordinance would not just be for off-premise signs. It would be a sign ordinance.
8. **Re-zonings – Discussion/Action:** There were none.
9. **Conditional Use Request - Discussion/Action:** There were none.
10. **Plat and Survey - Discussion/Action:**

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10A. Discuss and Recommend Action to Town Board on Bennett Land Division: Mr. Wiese stated that he had given a variance request from John Bennett to Boyd Best, chairman of the Board of Appeals. As of this time, Mr. Best has not proceeded with the variance hearing. Mr. Wiese asked that the clerk call Mr. Best to have him schedule the hearing. The ordinance states that the hearing must be held within a reasonable time, but does not define what that means. There is also no provision for what should happen if the variance request is not acted upon within a reasonable time.

11. Miscellaneous Agenda Items – Discussion/Action: There were none.

12. Letters and Communication:

12A. Review Attorney’s Opinion as Requested by Committee on Definition of “Home Occupation”: Mr. Wiese stated that in Attorney William O’Connor’s opinion, if a home owner hired other employees and invited customers to the home, that would be a “home occupation” and would require a conditional use permit. Mr. Wiese stated that he had been wrong to say that Gayle Carlson’s proposed beauty salon in Leisure Estates was not a “home occupation”. The Planning & Zoning Committee had been wrong when it dismissed Ms. Carlson’s application for a C.U.P. based on the fact that her proposed business was not a “home occupation”. If Ms. Carlson would like to proceed, she will have to reapply for the C.U.P. and the committee will have to start the process over again. The letter dated July 31, 2008 from Attorney William O’Connor concerning an opinion on the interpretation of the definition of home occupation in the St. Germain ordinance has an error on page 3 of the opinion. In the paragraph beginning “Under subsection (f), an occupant of a residential dwelling may pursue gainful work in his or her home without a CUP only if the activity *does include* employees or bring customers to the site. The word “not” should be inserted between the words “does” and “include”.

12B. Fath’s Big Woods Resort Condominium Plat: Mr. Vojta noted that at the last meeting he had signed a copy of the first addendum to Fath’s Big Woods Resort Condominium. The county, however, needed an original plat with signatures. Jamie Fath had Mr. Vojta sign the original plat.

13. Committee Concerns:

13A. Tim Ebert: Mr. Ebert noted that he has had several complaints about the required 15-foot setback in Holiday Estates. Some of the lots are only 90 feet wide. Sometimes, there is not enough room for a home and garage. Mr. Ebert suggested that the committee look into adopting an exception to the 15-foot setback on lots that are under a certain size. The committee thought that when the problem comes up, the property owner should apply for a variance. The committee was not comfortable with adopting an exception.

Mr. Ebert also had a concern about campers on private land. He suggested that the town could issue a 14-day permit, for a fee, to allow a person to camp on his own property. The committee thought that there would be a sanitary problem with issuing that type of permit.

13B. Mary Platner: Ms. Platner asked if any of the committee members had thought any more about a blight ordinance. Ms. Platner stated that the home at the north end of South Bay Road was getting worse and worse. Mr. Vojta said that it appeared that the owner was selling boats from his

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front yard and that the owner could possibly need a C.U.P. for his “home occupation”. Mr. Wiese will place the matter on the agenda for the September meeting.

13C. Lee Holthaus: Mr. Holthaus asked what had happened to the abandoned cars on the property at the end of the Hug Road. Mr. Wiese stated that some of the cars had been removed, but that Vilas County was taking care of the problem. Mr. Holthaus also asked if the owners of the home at the far end of Bradford Point had applied for an extension for their building permit. Mr. Ebert will drive into Bradford Point to see what has been completed.

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

15. Adjournment: Motion Vojta seconded Platner that the meeting be adjourned. Approved. Meeting adjourned 5:08 P.M.

Town Clerk

Chairman

Vice Chairman

Member

Member

Member