

# 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: APRIL 19, 2010

**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, John Vojta, called the meeting to order at 4:05 P.M.
2. **Roll Call -Members Present:** John Vojta, Tim Gebhardt, Mary Platner, Marion Janssen, Tim Ebert, Zoning Administrator. Fred Radtke was also in attendance.
3. **Approve Agenda:** Motion Platner seconded Gebhardt that the agenda be approved in any order at the discretion of the chairman. Approved.
4. **Approval of Minutes:** Motion Janssen seconded Platner that the minutes of the February 15, 2010 and February 18, 2010 committee meetings be approved as written. Approved.
5. **Public Comments:** Fred Radtke asked when the public was going to get to see the proposed sign ordinance. Mr. Vojta said that once he hears from the town attorney, copies would be made available. Ms. Platner thought that the sign ordinance would not have to have county approval.
6. **Zoning Administrator Report – Discussion/Action:** Mr. Ebert handed out his first quarter report for 2010. Four permits have been issued which is down from the eight issued last year at this time.
7. **Miscellaneous Agenda Items – Discussion/Action:**
  - 7A. **Setback Requirements (Ebert):** Mr. Ebert once again handed out his suggested requirements to changes in the 5-foot side yard setback. There were six requirements: (1) Lot must be smaller than 1.5 acres; (2) Must have a dwelling on it at the time that a garage permit is applied for; (3) Garage cannot exceed 720 square feet; (4) Must be a detached structure; (5) Cannot have a garage/accessory building on property that is vacant if under 1.5 acres; (6) If property is 1.5 acres or larger and vacant, the setbacks would be 15' side yard and the rear yard would be 40' so that if the garage is turned into a dwelling it would not become non-conforming.

Mr. Vojta suggested that the list be given to the town board for a final decision. There are already two parties waiting to see if they will be able to build a garage or not. Applying Mr. Ebert's suggestions would not bring the setback requirements back to what they used to be. There would also still be exceptions that would have to be considered on an individual basis. The committee thought that lakeshore lots would come under the county's shoreland zoning. Mr. Gebhardt asked if the fees could be lowered and cases still be considered individually if these changes were not made. If someone built a garage before 2005 and turned it into a dwelling, no UDC inspection or occupancy permits would be required. Mr. Ebert also thought that the rear setback should be 5' on the smaller lots.

Motion Janssen seconded Platner that the committee accept Mr. Ebert's proposal and that it be forwarded to the town board for approval. There was no action on the motion.

Ms. Platner thought that this would be an amendment to the ordinance and would need all of the public hearings and postings. Mr. Ebert noted that he should have included the rear setback requirements in item #6. It was the consensus of the committee that item #6 should be removed and considered separately. Motion Platner seconded Janssen that the Planning & Zoning Committee amend the St. Germain zoning for side and rear setbacks for lots that are less than 1.5 acres in size for the heading and the paragraph will explain the rest. Approved.
  - 7B. **Tolley Property (Ebert):** Mr. Vojta asked the committee to review the letter that had been prepared for Mr. Tolley. There were no objections. Ms. Janssen will send the letter to Mr. Tolley by certified mail. The receipt will be sent to Ms. Janssen. Mr. Tolley has made a prefab shed on his property into a dwelling. It doesn't meet the size requirements of the town, and would require a UDC inspection and permit..
  - 7C. **P & Z Grandfathering (Ebert):** There was no discussion.

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**7D. 8061 Juve Road Property:** Mr. Vojta stated that town chairman, Peggy Nimz, had received a complaint concerning the Reynolds property on the Juve Road. The Reynolds are using a camper as a dwelling. There is no sanitary permit on file with the county, the structure probably doesn't meet the town size requirements, and a UDC inspection is required. Mr. Ebert is to tag the property and contact Vilas County.

**7E. 2361 Lost Colony Drive Deck (No Permit):** Mr. Vojta stated that the owners of the property at 2361 Lost Colony Road has constructed a 16' x 24' deck right up to the water. First of all, the owners did not get a permit, so there should be a fine of 10 times the permit fee. Since the deck is so close to the water, the county shoreland zoning will apply. Mr. Ebert is to contact Vilas County Zoning.

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

**9. Conditional Use Request - Discussion/Action:** There were none.

**10. Plat and Survey - Discussion/Action:** There were none.

**11. Ordinance Amendments – Discussion Only:**

**11A. Ordinance Book Re-write (Platner):** Ms. Platner handed out copies of the ordinance book re-write. She suggested that the committee review the book. Mr. Vojta asked the committee members go through chapters one thru five for the next meeting. He also asked that the committee members look only for errors and readability and not for content.

**11B. Blight Ordinance (Marion J.):** Ms. Janssen said that she had nothing to report. She was finding that there was more to the ordinance than what she originally thought. Mr. Vojta said that she should consider junk in yards first.

**12. Letters and Communication:**

**12A. Ellen Allen Sexually orientated Business:** Mr. Vojta stated that Ms. Nimz had received a letter from Ellen Allen asking what was being done concerning the Sexually Orientated Business ordinance. Mr. Vojta stated that Mr. Wiese had been working on the ordinance. Mr. Wiese also found that it was more difficult than what he thought. Right now, the ordinance is on the bottom of the list of ordinances that are being considered.

**12B. Sign Ordinance Public Hearing Date:** The public hearing for the sign ordinance will be held on Monday, May 10, 2010 following the town board meeting.

**13. Committee Concerns:**

**13A. Marion Janssen:** Ms. Janssen wanted to know if the P & Z Committee was to be at the hearing on May 10<sup>th</sup>.

**13B. Tim Ebert:** Mr. Ebert asked if the rear setback was still set at 40'. Mr. Ebert also noted that the Reynolds had increased the size of the dwelling to 896 sq. ft. so that building size was not an issue.

**13C. Tim Gebhardt:** Mr. Gebhardt asked if a well and septic were in, could a camper be a dwelling. He was told that there needed to be a dwelling on the property.

**14. Set Time and Date of Next Meeting:** The next regular monthly Planning & Zoning Committee meeting will be held on Monday, May 17, 2010 at 4:05 P.M. in meeting room #4 of the Community Center.

**15. Adjournment:** Motion Janssen seconded Platner that the meeting be adjourned. Approved. Meeting adjourned 5:07 P.M.

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Chairman

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Vice Chairman

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Member

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Member

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