

Minutes of St. Germain Planning and Zoning Committee Meeting
June 28, 2004 at 5 p.m. at the Red Brick Schoolhouse

Meeting Type: Regular Meeting of the P&Z Committee. Agenda was duly posted.

Member Present: Don Buchholtz, Bill Joost, Ed Odette, Mary Platner, Ted Ritter. Tim Ebert, Zoning Administrator was also present. **Others Present:** Deanna Buchholtz, Linda McConnell

1. **Call to Order:** The meeting was called to order at 5:05 by Ed Odette, Chairman.
2. **Approve Agenda:** The agenda was approved as posted.
3. **Approve Minutes:** Ritter moved and Platner seconded motion to approve the minutes with the following sentence inserted at the end of the second paragraph under 4.2.concerning the expired building permit and renewal for the proposed structure at the end of Bradford Point: “Therefore, a new building permit will have to be applied for under the zoning code section 1.69 (2)(c).”
4. **Discussion/Business**
 - 4.1 **Chairman’s Report/Communications:** Mr. Odette pointed out that there is a discrepancy in the April 3, 2001 Zoning District Map for the Town of St. Germain prepared by Foth & Van Dyke. A thin strip of green (supposedly Forestry & Recreation for snowmobile trail) on the West side of the Hwy 70 curve is backed by one property zoned Community & Highway Business and another property as Downtown Business District. Since setback from the road for Community & Highway Business is less stringent than Downtown Business District, there is potential for rezoning requests.
 - 4.2 **Travelway and Zoning Permits:** Tim Ebert presented four requests for travelway permits:
 - 1) Anthony J. Schmidt on Dandelion Drive
 - 2) Jim Mleko on Pine Acres Blvd.
 - 3) Russ Jaderholm on County Rd. C
 - 4) Cliff Wendorff on Four Corners Rd. (for logging access only)Platner moved and Ritter seconded motion to approve all four permits. Motion carried. Mr. Ebert also presented an inquiry from Ed Toynton on Whitehorse Lane concerning a proposed change in use on a structure currently used as living space to garage space. The committee advised Mr. Ebert to obtain a written request from Mr. Toynton since the change may necessitate a variance. Mr. Ebert also presented an informational drawing for a proposed structure by Tom Baade for a 2 car garage with living space behind and above. Although the living space area met the 720 square foot requirement, the proposed structure width of 20 feet would have to be increased to a minimum of 24 feet. The structure is proposed to be the initial stage in a larger house. Mr. Ebert also explained that a permit had been issued for a corner lot in a Low Density Residential District which took advantage of the reduced side lot setback of 60 feet from the centerline of the existing road allowed under zoning code section 1.15 (4).

Mr. Odette reported that the moratorium and extension on off-premise signs had expired in 2002. This information related to a request by Dave Consoer to move a sign on property he sold along Hwy 155 to his own adjacent property. Ritter moved and Platner seconded a motion to inform Mr. Consoer that he can move his sign. Motion carried.

Mr. Odette raised the question of selecting a Uniform Building Code Inspector. Ritter moved and Joost seconded a motion to table the selection until the requirement is mandatory. Motion carried. Members of the committee recommended that a new application be obtained from interested applicants along with all service fees. Also, that applicants be interviewed separately.

Mr. Odette asked the committee for recommendations on resolving the problem of the two buildings in disrepair which were brought to the attention of the committee at the June 7 meeting. After considering the option of using section 66.0413 of the state statute for condemnation by a municipal official, or asking the county to act under public health and safety violations, the committee recommended that the matter be placed on the Town Board agenda for action, which has been used in previous instances to raze unsafe structures and assess the property owner for costs. (Heart of the Woods structure and 2 single-wides in Pine Acres)

Mr. Odette opened discussion on the pier dispute on Lost Lake. After committee review of Chapter 6 of the St. Germain Zoning code on Piers and Boats, the 1995 edition of Pier Law and Regulations in Wisconsin (which contains the DNR Pier Planner) and the recently suspended Emergency Chapter NR 326 DNR pier rules, the committee gave a unanimous opinion that both piers are presently legally placed. Ritter moved and Buchholz seconded a motion that James Ulett and Jim Wendt, owners of the two piers in dispute, be advised that the committee can take no action regarding enforcement of the St. Germain Pier ordinance, since no violation of that ordinance can be found. The motion carried with all ayes. Mr. Odette will communicate that decision to the two owners.

4.3 and 4.4: **No Items on Agenda.**

4.5 **Committee Concerns:** Mr. Ritter requested the committee to identify, prioritize and assign time lines to zoning issues that have not been resolved, such as a sign and blight ordinance and many proposed amendments to the zoning ordinances. He also was concerned that the Town Board has not appointed a Board of Appeals and that the present make-up of the Board of Appeals in section 1.68 in the St. Germain ordinance is flawed. After review of Section 1.68, Joost moved and Ritter seconded a motion to amend Section 1.68 (2)(a) to read: “A Board of Appeals is hereby created as authorized by 60.62 and 62.23(7)(e), Wis. Stats. **The Board of Appeals shall consist of five members nominated by the Town Chairman and approved by a majority vote of the Town Board.** Members of the Board of Appeals shall serve for staggered 2 year terms expiring on the second Tuesday of April. **The chairman of the Board of Appeals shall be chosen by the Board of Appeals.**” The motion carried with all ayes. Joost moved and Ritter seconded a motion to amend Section 1.68 (2)(b) under Qualifications to read: “Each member of the Board of Appeals shall be a resident elector of the Town and no member of the Board of Appeals may serve as a member of the Planning and Zoning Committee created under Section 1.66 **or serve as a member of the Town Board.**” Mr. Odette will be responsible for forwarding the proposed amendments to the Town Board for further action.

4.6 **Citizen Concerns:** None

4.7 **Time and Date of Next Meeting:** Next meeting will be July 19 at 5 p.m. at the schoolhouse.

Minutes written by Mary Platner, committee member