

PLANNING & ZONING COMMITTEE

1

TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

townofstgermain.org

MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: DECEMBER 6, 2004

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 Ed Odette, Chairman
2. **Roll Call -Members Present:** Bill Joost, Ed Odette, Ted Ritter, Tim Ebert-Zoning Administrator, Tom Martens-town clerk. Don Buchholtz & Mary Platner were absent. Todd Wiese was also in attendance.
3. **Approve Agenda:** Motion Ritter seconded Joost that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Ritter seconded Joost that the minutes of the October 23, 2004 special meeting and the Rogacki hearing be approved as written. Approved.
5. **Public Comments:** Todd Wiese asked the status of the Miller property on Lingo Lane. Mr. Odette stated that Town Chairman Jim Wendt was to have written a letter to Mr. Miller requesting that he either attend tonight's meeting or the town board meeting on December 13, 2004. Mr. Odette did not know if Mr. Wendt had written the letter or not. The clerk called Mr. Wendt. Mr. Wendt stated that he had written the letter and asked the Mr. Miller attend the December 13, 2004 town board meeting.
6. **Zoning Administrator Report – Discussion/Action**
 - 6A. **Travelway Permits:** Motion Ritter seconded Joost that travelway permit be issued to Richard Hensen on Cottage Drive E., Steve Vogel on Melody Drive, and Mike Sailer on Lullaby Lane all in Holiday Estates. Approved. A travelway permit had also been requested by Al Larsen on Golden Retreat Drive; however, Golden Retreat Drive is not a town road at this time.
 - 6B. **Tim & Rochelle Kruse Storage Buildings:** Mr. Ebert reported that the Kruse's wanted to construct two more storage buildings on their property at Tall Pines Storage on Hwy. 70. Mr. Ebert thought that the two prior buildings had been given a conditional use permit. From the minutes of August 26, 2002, it seems as though there may not have been a conditional use permit, but that the buildings had been grandfathered since the property was already being used for storage buildings. The property is zoned Lakeshore Resort Residential which does not allow storage buildings at all unless they would also be grandfathered. Mr. Ebert is to inform the Tim & Rochelle Kruse that the two additional buildings will not be allowed unless they can produce some documentation stating that they had also been grandfathered.

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2

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6C. Bradford Point Encroachment: Mr. Ebert reported that he had a request from Custom Components for an encroachment of 25 square feet into the 75 foot setback from Big St. Germain Lake. The property is owned by a party by the name of Augustine and is the last lot on the very tip of the point. The request is for the roof overhang of the primary structure to extend approximately 25 square feet into the 75-foot setback from the lake in order to cover a walkway from the main house to the garage. Mr. Ebert stated that he was under the impression that there were to be no variations from any of the setbacks on Bradford Point. Glen Schiffmann is claiming that the roof would be allowed under the State's Gazebo Law. The law states that a County must allow a structure up to 200 square feet as long as it has no walls and is not attached to any other building. The town's zoning ordinance does not address this type of issue. The original building permit for the property did not have this problem. The present plan has been revised from the original. Mr. Ritter stated that he had talked to Mr. Schiffmann. Mr. Schiffmann has a letter Dawn Schmidt, Vilas County Zoning Administrator, dated October 29, 2004 stating that the accessory building requested by Mr. Schiffmann would be approved by the county. The P & Z Committee was not sure if Ms. Schmidt had seen the sketch of the proposed roof or not. If construction were to begin now, it would be in violation since the permit is not for this revised plan. Motion Ritter seconded Joost that the request for the revision of Permit #51-04 dated June 9, 2004 to allow for an encroachment of 25 square feet into the 75-foot setback from Big St. Germain Lake, under the State's Gazebo Law is not applicable since it is the roof of the primary structure and that the applicant be informed that the St. Germain Planning & Zoning Committee does not approve of the encroachment. Approved. A copy of the revision and these minutes will be attached to the original zoning permit application.

6D. Scott Palmer Property: Mr. Palmer had asked Mr. Ebert if he would need a variance if he added a second story instead of his original plan. Mr. Joost stated that Mr. Palmer would still need to apply for a variance. Mr. Joost also noted that sections 1.57 and 1.58 of the St. Germain Zoning Ordinance contradict each other. Mr. Joost further stated that the town needs to enforce the more restrictive section.

7. Ordinance Amendments: The ordinance amendments were not discussed.

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: There was no discussion.

13. Letters and Communications:

13A. Don Buchholtz: Mr. Odette noted that he had sent a letter to Don Buchholtz requesting him to respond no later than December 28, 2004. Nobody on the P & Z Committee has heard from Mr. Buchholtz.

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14. Committee Concerns:

14A. Vilas County Rezoning: Mr. Ritter noted that he was very dissatisfied and felt that the town has been handling the request by Ruth Consoer and Eliason & Eliason for a change in the Vilas County Zoning very badly. The Planning & Zoning Committee has not had a chance to discuss the matter at all. The town board, at its special meeting on November 30, 2004, decided to send a letter to both the County and Ms. Consoer and Eliason & Eliason stating that the town board had no objections to the zoning change. Mr. Ritter went on to say that the action had been taken, however, the matter was not on the agenda of the meeting. The town board had received a letter from property owners concerned about the detrimental impact the rezoning would have on their property. Mr. Ritter felt that both the town board and the Planning & Zoning would be under serious criticism, and rightly so. The clients of Favorite Surveying are asking for the zoning change, not the County. The County is giving the town a chance to speak up. Mr. Ritter felt that the way this was being handled was not in the best interest of the taxpayers. He felt that the way it was done was wrong. Mr. Ritter felt that the matter should have come before the Planning & Zoning Committee first. Mr. Ritter added that he felt that during the past few months, there was a snowballing effect effort to do away with St. Germain's zoning altogether.

14B. County Zoning: Mr. Joost noted that the committee keeps asking about what the County would do. If we always have to check to see what the County would do, why don't we just get rid of the town zoning?

14C. Zoning Revisions: Mr. Ebert asked when the committee was going to take care of the zoning changes that needed to be done. Mr. Ebert especially noted that sections 1.57 and 1.58 should be looked into.

15. Time and Date of Next Meeting: The next regular Planning & Zoning Committee meeting will be on Monday, January 3, 2005 at 5:00 P.M. in the boardroom of the Old Red Brick Schoolhouse.

16. Adjournment: Motion Ritter seconded Joost that the meeting be adjourned. Meeting adjourned 6:20 P.M.

Town Clerk

Chairman

Vice Chairman

Member

Member

Member

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