

**P. O. BOX 7
ST. GERMAIN, WI 54558**

Minutes, Zoning Committee – September 29, 2021

1. **Call to order:** Meeting called to order by Ritter at 5:31pm
2. **Roll call, establish a quorum:** Ritter conducted the meeting from Room 4 of the Community Center with a virtual attendance option. Committee members physically present in Room 4: Vogel (ZA), Cooper, Schell and Vogel. Strom was not in attendance. Also present in Room 4 were Diana Nasca and David Walters.
3. **Public comments:** None
4. **Discussion/action topics:**
 - a. **Approve minutes of September 1, 2021 meetings:** Motion Vogel, second Schell to approve as presented. Motion passed by unanimous voice vote.
 - b. **Review proposed land divisions on parcels 24-419 and 24-171-01:** Mr. Walters explained the reasons for dividing these parcels and answered questions. There being no concerns from the committee with these land divisions, motion Schell, second Vogel to approve as presented. Motion passed 3:1 with Cooper abstaining. Ritter then signed the certified survey map and Mr. Walters presented a check in payment of the committee review and approval process.
 - c. **Consider action on expired Zoning Permit Z1858 issued 08/20/2018. Work not completed. Extension of permit not requested:** This item had been brought forth after being tabled at an earlier meeting. Ritter reported what he had learned in the interim from Vilas County Zoning.
 1. The County zoning ordinance contains the same permit expiration language as St. Germain's. The reason for the language is that when a zoning permit is issued, the zoning rules in place at the time are grandfathered. Therefore, if there is no expiration date for the permit, a project could go unfinished indefinitely under the grandfathered zoning rules even if zoning ordinance rules had since been amended. When a permit expires and a new permit needs to be applied for, the amended rules become effective.
 2. Because zoning permits pertain to placement, size, use, etc. of a building, but do not provide specific rules for how a building is to be constructed, the County can consider a project completed long before it actually is. Once the building is enclosed and cannot grow in size or shift in location, the provisions of the zoning permit are satisfied. The County would not require continuation or replacement of the permit even though construction is not complete.
 3. UDC building permits (for dwellings) expire 24 months after date of issue. Per SPS 320.09(9)(a)5, the permit shall expire 24 months after issuance if the dwelling exterior has not been completed.

Motion Cooper, second Vogel that section 1.605(B)(3) of the Town Zoning Ordinance be interpreted by the Town in the same way the County interprets its satisfactory completion of a zoning permit. Motion passed by unanimous voice vote.

Schell offered to talk to the holder of the three year old zoning permit, for which the project does satisfy the zoning permit provisions, to make certain the owner is aware of the need to have and comply with a State UDC building permit.

- d. **Consider 09/23/2021 action of town board instructing Zoning Committee to modify section 1.409 of the Zoning Ordinance to allow shipping containers in certain zoning districts as conditional uses:** Tabled for a future meeting when full attendance of the committee is present.
 - e. **Consider eliminating the existing disparity in the Zoning Ordinance between garages and accessory buildings:** Tabled for a future meeting when full attendance of the committee is present.
 - f. **Assist Zoning Administrator with Zoning Permit Application decisions:**
 - 1. Do zoning permit fees apply when a zoning permit is issued for a structure on town property? Most past instances have waived the fee, although fees have been assessed to the Bo-Boen Club for reconstruction of its groomer barn. Why the inconsistencies? Motion Ritter, second Vogel to request approval from the town board to amend the zoning ordinance to reflect that zoning permits are essentially land use permits and that all permitted projects on town property should be exempt of the permit fee regardless of who applies for the permit.
 - 2. Include Temporary Permit in the definitions section of the zoning ordinance
 - 3. Other topics were discussed but required no additional actions.
 - g. **Consider recommending to town board that all Lake Content properties be re-zoned Lakeshore Residential:** Tabled for a future meeting when full attendance of the committee is present.
 - h. **Review the Zoning Permit and Motor Vehicle Public Road Access/Fire Numer application forms for needed revisions:** Several suggestions were made to improve the effectiveness and efficiency of each form. Ritter will provide draft re-designs for committee members review prior to the next meeting.
 - i. **Consider the need for Zoning Administrator site visits to assure compliance with permit provisions:** Following discussion of the realities of the ZA being able to determine property lines to verify accuracy of setbacks and the time it would require to visit all sites, motion Schell, second Cooper that the ZA does not routinely perform site visits to assure compliance with zoning permit provisions. Motion passed by unanimous voice vote.
 - j. **Consider a plan to reformat section 3 of the zoning ordinance to make interpretation of land use rules for zoning districts more efficient and user friendly:** ZA Vogel agreed to work on this during the coming winter months when zoning activity and cemetery sexton demands are low. Diana Nasca offered to assist if needed.
 - k. **Approve monthly Zoning Administrator compensation:** Motion Cooper, second Schell to approve September compensation through September 26 in the amount of \$1,529.94. Motion passed by unanimous voice vote.
 - l. **Committee financial review:** Reviewed with no actions taken.
 - m. **Committee concerns for future agendas:**
 - 1. Review the provisions of Chapter 2.02 to determine accuracy of current Motor Vehicle Public Road Access definition.
 - 2. Update status of UDC compliance for expired Zoning Permit Z1858 issued 08/20/2018.
 - 3. Discuss need to record Zoning Committee meetings.
5. **Adjourn:** Meeting was adjourned by Ritter at 8:00pm.