

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

Minutes, Zoning Committee – September 27, 2022

1. **Call to order:** Meeting called to order at 5:30pm
2. **Roll call, establish a quorum:** Chairman Ted Ritter conducted the meeting from Room 4 of the Community Center with a virtual attendance option. Committee members physically present in Room 4: Jimmy Vogel, Ted Ritter, Bob Schell, Jon Strom and non-voting member Zoning Administrator June Vogel (herein after referred to as ZA Vogel). Committee members attending virtually: None. Brian Cooper was absent from meeting.
3. **5:30 pm - Convene public hearing re Clint Kittleson Conditional Use Permit (CUP) application:** No public comments were made at the hearing. No written public comments had been submitted. Applicant answered Committee questions about the application.
4. **Adjourn public hearing:** Adjourned at 5:37pm
5. **Committee deliberation and disposition of Kittleson CUP application:** Ritter lead the Committee through the Findings of Fact and Order & Determination discussions.
Motion Vogel, second Schell to grant the CUP with the following conditions:
 1. Size of permitted structure (not to exceed 4,160 square feet) and placement on the parcel is to be as described on the site plan accompanying this CUP application.
 2. This permit does not allow the building to be used as a dwelling or place of business.
 3. A natural vegetative buffer (existing woods) of no less than 50 feet must be maintained between the building and HWY 155.
6. **5:50 pm - Convene public hearing re Bryan Paweski Conditional Use Permit (CUP) application:**
Carole Hall 8159 Maplewood Drive 24-729-12– Read a statement with approval of neighbors; Alex Jones 24-729-01, Jennifer Jones 24-729-01, Caroline -Fender 24-729-13, Roger Schmidt 24-729-13, Jody Jolicoeur, Jerry Korn and Judson Scott 24-729-16. (Statement follows minutes)
Judson Scott 24-729-16 - Given landscape of his property, the only decent building site on Scott property is closest to the bordering lot line of Paweski property in question. Talked about aesthetics of the property and the likelihood of having to look at a pole building from the view of back yard. Asked that the permit be denied.
James and Joanna Kemper 24-729-07 – Statement read that was received by town clerk. (Statement follows minutes)

Caroline Fender 24-729-13– Lives near this lot. Against this permit.

Jack Loomis – Identify property owners in neighborhood to clarify those who were listed in the statement from Carole Hall.

Bryan Paweski 24-729-05– Looking to build a 5000 square foot to keep everything inside a building. Prefers not to have multiple buildings. Will leave trees up as a barrier. Current plan is further away from setbacks than required.

7. **Adjourn public hearing:** Adjourned at 6:04pm

8. **Committee deliberation and disposition of Paweski CUP application:** Ritter lead the Committee through the Findings of Fact and Order & Determination discussions.

Motion Schell, second Vogel to deny the CUP application. Committee conclusions during discussion:

1. Statement read by Carole Hall on behalf of subdivision owners had little merit as the size and location of the proposed building has minimal to no meaningful affect on properties other than the Scott property.
2. The Committee was not able to prompt the applicant to agree with conditions that would reasonably resolve the justifiable concerns of the adjacent property owner.

Motion passed by unanimous vote.

9. **Review the following Vilas Co. Conditional Use Permit applications and determine response to County Zoning:**

a. Raymond Dykstra, parcel #24-1508-17, 1539 HWY 155

Motion Schell, second Vogel to inform County Zoning that St. Germain Zoning has no concerns with this CUP application. Motion passed by unanimous voice vote.

b. Thomas Hartnett, parcel #24-2195, 240 E HWY 70

Motion Vogel, second Strom to inform County Zoning that St. Germain Zoning has no concerns with this CUP application. Motion passed by unanimous voice vote.

10. **Adjourn:** Meeting adjourned at 6:51pm

Minutes prepared by Chairman Ritter

CONDITIONAL USE PERMIT

Upon review of an application for a zoning Conditional Use Permit applied for and considered in accordance with St. Germain Code of Ordinances, Chapter 1 — Zoning, and as described below, the Town of St. Germain Zoning Committee finds and orders as follows.

Applicant: **Clint Kittleson**

Application date: **08/08/2022**

Public hearing date: **09/27/2022**

Findings of Fact

Having heard the testimony and considered the evidence presented, the St. Germain Zoning Committee finds the following:

The applicant is the owner/agent of the following described property which is the subject of the Conditional Use Permit application:

Parcel # **24-467-32**

Property address: **2484 Raven Lane**

Property legal description: **Lot One (1) of that certified survey map recorded in Volume 14 of Certified Surveys, page 137 as Map No. 3992, being a part of the Northwest Quarter of the Northwest Quarter of Section Nine, Township Forty North, Range Eight East of the Fourth Principal Meridian, Township of St. Germain, Vilas County, Wisconsin.**

2. The property is presently used for: **Vacant, no development**

3. The applicant proposes to: **Construct a 40 x 80 feet garage with a 12 x 80 feet lean-to**

4. The standards for issuance of a Conditional Use Permit are:

- The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare. **No Concerns**
- The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use. **No Concerns**
- The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district. **No Concerns**
- Adequate utilities access roads, drainage, buffer areas and landscaping and other necessary site improvements have been or will be provided. **No Concerns**

Recording area

Name and Return Address

**Clint Kittleson
P. O. Box 69
Sayner WI 54560**

Parcel Identification Number (PIN)

24-467-32

- Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. **No Concerns**
- The conditional use shall conform to all applicable regulations of the zoning district in which it is located. **No Concerns**

Order and Determination

On the basis of the findings of fact, conclusions of law, and the record in this manner, the Town of St. Germain Zoning Committee orders the requested Conditional Use Permit is hereby:

- Denied
- Granted subject to the following conditions

- 1. Size of permitted structure (not to exceed 4,160 square feet) and placement on the parcel is to be as described on the site plan accompanying this CUP application.**
- 2. This permit does not allow the building to be used as a dwelling or place of business.**
- 3. A natural vegetative buffer (existing woods) of no less than 50 feet must be maintained between the building and HWY 155.**

This instrument was drafted by _____ Ted Ritter _____,
Chairman, Zoning Committee

Chairman, Zoning Committee

09/28/2022 _____
Date signed

State of Wisconsin, County of Vilas

Personally came before me this above named, Town of St. Germain Supervisor and Chairman of the Town Zoning Committee, in said county, to me known to be the person who executed the forgoing instrument and acknowledged the same as the free act and deed of said Town for the purposes therein mentioned.

Notary Public

Date signed

Vilas County, Wisconsin
My commission expires _____

Re PAWESKI cup

September 18, 2022

To the Town of St. Germain

This is in regards to the letter of September 9, regarding the Vilas County Tax parcel 24-729-05;

Bryan Paweski, seeks a conditional use permit to construct a 5000 square foot accessory building on Lot 12 which is 3500 square feet larger than the 1500 square feet that is now permissible.

Having owned Lot #14 for the past 30 years and also owning Lot #15 and the home on it from 1991-2011 we are against turning Maplewood Drive into a storage subdivision rather than its intended use as a vacation/permanent home subdivision.

Thank you for your consideration in this regard.

Respectfully,

A handwritten signature in black ink that reads "James & Joanna Kemper". The signature is written in a cursive style with a large, looped "K" for Kemper.

James and Joanna Kemper

1318 State Route 251

Compton, IL61318

Re PAWESKI cup

We, the established, permanent residents of Maplewood Terrace Subdivision, Saint Germain Wisconsin make the following statement regarding the request for a Conditional Use Permit for a 5,000 square foot accessory building on Lot 12 of this Subdivision. The requested permit would allow the construction of an accessory building more than three times the standard found in the Zoning ordinance and would dramatically change the character of the Subdivision; and potentially open the door to future grossly oversized accessory buildings.

Our goal is to keep this small subdivision a residential, low-density area and a Commercial sized building will detract from that goal.

We strongly support keeping to existing Saint Germain Zoning ordinances of September 12th, 2022. Specifically, Chapter 1.200, ph. 1.202 stating the maximum area of an accessory building or garage is 1,500 square feet and ph. 1.203 stating maximum height of accessory buildings is 25 feet.

In addition, the deforestation needed to build a structure of 5,000 square feet, with a dwelling and access requirements will greatly increase the noise from traffic on Highway 155. The repopulation of the size and maturity of the trees could never occur in our lifetime.

There are other storage facilities within reasonable distances to accommodate large storage requirements of any resident beyond the approved 1,500 square foot building permitted.

We are also concerned that a building of this size and visibility will reduce our property values. We all have spent considerable time and money to improve the beauty of our homes and subdivision.

We are requesting that the Zoning committee make a site visit to gain a first-hand visual perspective of the residential area and impact of a building the size of an airplane hangar would have on our small subdivision.

We thank you for hearing our statement.

We ask that you Deny the request for a Conditional Use Permit. Thank you.

CONDITIONAL USE PERMIT

Upon review of an application for a zoning Conditional Use Permit applied for and considered in accordance with St. Germain Code of Ordinances, Chapter 1 — Zoning, and as described below, the Town of St. Germain Zoning Committee finds and orders as follows.

Applicant: **Bryan Paweski**

Application date: **09/17/2022**

Public hearing date: **09/27/2022**

Findings of Fact

Having heard the testimony and considered the evidence presented, the St. Germain Zoning Committee finds the following:

1. The applicant is the owner/agent of the following described property which is the subject of the Conditional Use Permit application:

Parcel # **24-729-05**

Property address: **Maplewood Drive**

Property legal description: **See Exhibit A**

2. The property is presently used for: **Vacant, no development**

3. The applicant proposes to: **Construct a 50 x 100 garage**

4. The standards for issuance of a Conditional Use Permit are:

- The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare. **No concerns**
- The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use. **Very large, high visibility building close to property line to be detrimental to adjacent property.**
- The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district. **No concerns**
- Adequate utilities access roads, drainage, buffer areas and landscaping and other necessary site improvements have been or will be provided. **Inadequate buffer plan to reduce visibility from adjacent property.**

Recording area

Name and Return Address

Bryan Paweski
2747 W Apolla Road
Phoenix AX 85041

Parcel Identification Number (PIN)
24-729-05

Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. **No concerns**

The conditional use shall conform to all applicable regulations of the zoning district in which it is located. **No concerns**

Order and Determination

On the basis of the findings of fact, conclusions of law, and the record in this manner, the Town of St. Germain Zoning Committee orders the requested Conditional Use Permit is hereby:

Denied

Granted subject to the following conditions

The Committee was not able to prompt the applicant to agree with conditions that would reasonably resolve the justifiable concerns of the adjacent property owner.

A statement of objection to the application read as representative of all other property owners within the subdivision was regarded by the Committee as insignificant as only the owner of the adjacent property raised meaningful objections.

This instrument was drafted by _____,
Chairman, Zoning Committee

Chairman, Zoning Committee

Date signed

State of Wisconsin, County of Vilas

Personally came before me this above named, Town of St. Germain Supervisor and Chairman of the Town Zoning Committee, in said county, to me known to be the person who executed the forgoing instrument and acknowledged the same as the free act and deed of said Town for the purposes therein mentioned.

Notary Public

Date signed

Vilas County, Wisconsin
My commission expires _____