

Minutes of the St. Germain Planning and Zoning Committee Meeting
July 5, 2004 at noon at the Red Brick Schoolhouse

Meeting type: Special Meeting of the P&Z Committee. Agenda was duly posted on July 4 by 10 a.m.

Members Present: Don Buchholtz, Bill Joost, Ed Odette, Mary Platner, Ted Ritter. Tim Ebert, Zoning Administrator was also present.

Others Present: Todd Wiese, 1605 Lingo Lane and Tom Adams, 1584 Lingo Lane

- 1. Call to Order:** The meeting was called to order at noon by Ed Odette, Chairman.
- 2. Approve Minutes:** The agenda was approved as posted. The special meeting was called to take action on the Lingo Lane building owned by James Miller, P.O. Box 26, St. Germain.

3. Discussion/Action:

Motion by Bill Joost, second by Ted Ritter to Red Tag the building owned by James Miller on Lingo Lane which is a violation of St. Germain Zoning Code, section 1.69 under Rules and Procedure for Issuance of a Zoning Permit, specifically, 1.69(2)(b) as follows: **“Any permit obtained through material misrepresentation shall be null and void.”** and, as an alternative action, Red Tag the building under Wisconsin State Statute Section 66.0413(1). (This statute allows town action on buildings which are a hazard to public health.)

Discussion followed during which the consensus evolved that the committee’s first course of action should be based solely on the St. Germain Zoning Code. Mr. Joost and Mr. Ritter withdrew their original motion and second. Mr. Joost moved and Ritter seconded a new motion to red tag the building owned by James Miller on Lingo Lane as a violation of the St. Germain Building Code Section 1.69(2)(b).

The committee asked Mr. Odette to send a notice to James Miller informing him of the committee’s action and advising him that he has no right to perform any further construction on his building since his permit, which was issued on 12-14-01 is null and void and is also expired. The building which Mr. Miller placed on his property is a manufactured house #1738-0131-IA built by SkyLine Corporation, of Goshin, IN on 6-13-95. While listed on the zoning permit as “new” construction, the building was in great disrepair, having had an interior fire which left the interior and large portions of the exterior severely damaged. The home has not been brought into repair since being placed on the lot and poses a hazard to public health and safety.

Mr. Ritter called for the question and the motion was passed with all voting “aye”.

Mr. Ebert requested the minutes to reflect that he felt there was a potential conflict of interest since Mr. Joost is a relative of Mr. Adams, who lives near the Miller property. He also explained that the section on the zoning permit which reads: “Construction to be _____” has been interpreted in the past to mean “anything new” that is placed on the property. The committee also recommended that the application be changed to clarify this line so it cannot be misinterpreted in the future.

New, Addition, Moving, Alternations, Etc.)

Meeting was adjourned at 1 p.m.

Minutes written by Mary Platner, committee member