

PLANNING & ZONING COMMITTEE

TOWN OF ST. GERMAIN

P.O. BOX 7

OFFICE OF THE CLERK

ST. GERMAIN, WISCONSIN 54558

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MINUTES ST. GERMAIN PLANNING AND ZONING COMMITTEE MEETING: JANUARY 16, 2006

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 4:05 P.M. by Todd Wiese, Chairman
2. **Roll Call -Members Present:** Mary Platner, Ted Ritter, Lee Holthaus, Todd Wiese, Marion Janssen, Tom Martens, town clerk, Tim Ebert Zoning Administrator. Martin Kutzner, Laura DeLaney, and Bill Delaney were also present.
3. **Approve Agenda:** Motion Ritter seconded Platner that the agenda be approved as posted. Approved.
4. **Approval of Minutes:** Motion Ritter seconded Platner that the minutes of the December 19, 2005 regular meeting be approved as written. Approved.
5. **Public Comments:** There were no public comments.
6. **Zoning Administrator Report – Discussion/Action:**
 - 6A. **Kutzner Mobile Home:** Mr. Kutzner's single wide mobile on Dandelion Drive in Leisure Estates burned on Christmas Eve. Mr. Kutzner informed the committee that he had found another mobile home that he would like to move into Leisure Estates. Mobile homes are allowed in Leisure Estates. Mr. Ebert brought this matter up before the committee because the mobile is more than 5 years old. The ordinance requires that the committee approve it before it is moved into town. The mobile home is 728 square feet in area. The committee informed Mr. Kutzner that he would have to have the home inspected by a certified HUD inspector. If the inspection indicates that the mobile home meets all codes and requirements, Mr. Ebert is to issue the permit.
 - 6B. **Year End Report:** Mr. Ebert presented the zoning administrator's annual permit report. Mr. Ritter asked that Mr. Ebert make an electronic copy for the town clerk to put into the town file.
 - 6C. **Computer and Printer Warrantee:** Mr. Ebert stated the warrantees on both his laptop computer and printer were expiring shortly. He wanted to know if the committee wanted him to renew them. The committee decided not to renew the printer warrantee. Mr. Ebert is to check to see if the computer warrantee states that it will replace the computer if it cannot be repaired. The committee will decide what to do at the next meeting.
7. **Ordinance Amendments – Discussion/Action:**
 - 7A. **Park Ordinance:** Motion Ritter seconded Holthaus that the committee forward the park ordinance to the town board with the recommendation that it be passed as presented. Approved.

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7B. Accessory Structure Ordinance: Ms. Platner handed out three sheets of revisions that she had lined out and boxed in as requested by the county. Ms. Platner had not finished the last page. She will finish that page and the committee will review the accessory structure ordinance at the next meeting.

7C. 5.11(7) Condominium Plat Approval Amendment: Ms. Platner will have the amendment in the same format as the accessory structure ordinance at the next meeting.

8. Re-zonings – Discussion/Action: There was no discussion.

9. Conditional Use Request - Discussion/Action: There was no discussion.

10. Plat and Survey - Discussion/Action: There was no discussion.

11. Miscellaneous Agenda Items – Discussion/Action:

11A. Movement of Lot Lines (Opinion): Mr. Ebert had brought this matter up at the last meeting. A home owned by Burgess and Newby was wrongly placed on the property of Mary Jackson several years ago. Bill & Laura Delaney were present to represent Mary Jackson, the property owner. Mr. Wiese stated that he had gotten an attorney's opinion that the lot line could be moved so that the home would be on the correct lot. Mr. Delaney stated that until two weeks ago, Ms. Jackson was in favor of moving the lot line. Since that time, however, Burgess and Newby had made unreasonable requests. At this time, Ms. Jackson is no longer agreeing to move the lot line. Mr. Delaney reported that Vilas County has revoked its permits. The county has asked the town to support their decision. Section 1.73(4) of the St. Germain Zoning Ordinance states that the zoning administrator will give notice of suspension of a permit. There are thirty days for performance after the suspension. Mr. Ebert also noted that the home was moved onto the property before a permit was issued. He had to go to the property to have the owner take out a permit. Mr. Delaney also noted that the location of the home was different on each of three permit applications that he had seen. Motion Ritter seconded Platner that the town suspend zoning permit #144.03 and #30.04 for the Burgess/Newby property since we have evidence that the house is located on the wrong lot and issue an order to correct the problem under 1.73(4) within 30 days. Approved. A certified letter will be sent by Zoning Administrator, Tim Ebert, to the property owner (Jackson) with a copy to Burgess/Newby (home owner).

11B. “Business District” Residential Lot Size (Opinion): Mr. Wiese reported that he had an attorney's opinion stating that there was no “grandfather clause” in the ordinance, and that Charles Vogel would have to abide by the 1.5 acre residential lot size in the downtown business district portion of Barrington Pines subdivision. Mr. Wiese will send a letter to Mr. Vogel notifying him of the attorney's opinion. The attorney indicated on the fax transmittal that it was attorney client privileged information. It will be placed on file.

11C. Permit Requirements for Deer Blinds: It was the committee's opinion that deer blinds and children's play sets would not require a permit.

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12. Letters and Communications:

12A. Rezone Petition: Mr. Wiese noted that someone had indicated that they would be requesting a rezone petition. At this time, however, there was no formal request.

13. Committee Concerns:

13A. Application for Road Naming: As part of the fire numbering system, any road with two or more property owners will have to be named. The application will have to come up to the planning and zoning committee for approval. Mr. Ritter suggested that the application form be placed on the town's website. Mr. Ritter wanted to know who had to sign the application. Could it be one property owner, or did it have to be all of them. Mr. Wiese noted that there was room for six signatures. More could be added.

13B. Website Update; Ritter/Martens: Mr. Ritter noted that Wayne Overberg at Interpace had put all of the town and zoning minutes into PDF format. All future minutes will automatically be put into PDF format.

13C. Formatting Amendments & Ordinances: Ms. Platner noted that we are not presently using a custom format. Everything would be preset. Ms. Platner stated that she would have an example for the next meeting. She will also check with William O'Connor to see if he has a copy of the original format in which the 2001 zoning ordinance was drafted.

13D. Plat Books: Mr. Wiese noted that he had obtained three Vilas County plat books. Mr. Wiese will have one. Tim Ebert will have one, and there will be one left in the office.

13E. Wilderness Estates: The clerk asked Mr. Ebert what kind of permit was given to a small building at the north end of Wilderness Estates. Mr. Ebert stated that the permit was for a shed, but that now it appears as though it is being used as a hunting cabin. Mr. Ebert will try to find the original permit for the next meeting.

13F. Lots Divided by Two Zoning Districts: Mr. Ebert asked if anything was being done about lots that were divided by two zoning districts. Mr. Holthaus stated that presently the lot would be zoned however the largest portion is zoned. The matter is one of the proposed amendments.

13G. Woodworking Shop: Mr. Ebert asked what the setbacks would be for a woodworking shop. The committee agreed that it would be an accessory building and would have to meet those setbacks.

13H. Log Cabin: Mr. Ebert stated that he had looked up the permit for the small log cabin on Hwy. 155. After investigation by the zoning administrator, the structure is not a dwelling, but a display. As such it is not required to meet minimum dwelling standards. A zoning permit has been issued since the building won't be connected to electric or sewer as a dwelling. There will be a log home placed on the tubes. The tubes will be inspected weather permitting.

14. Set Time and Date of Next Meeting:

The next regular committee meeting will be held on

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Monday, February 20, 2006 at 4:00 P.M. in the boardroom of the Red Brick Schoolhouse. There will be a workshop meeting on Monday, January 30, 2006 at 4:00 P.M. to discuss four fire ordinances.

- 12. Adjournment:** Motion Platner seconded Janssen that the meeting be adjourned. Approved. Meeting adjourned 6:02 P.M.

Town Clerk

Chairman

Vice Chairman

Member

Member

Member