

MINUTES OF THE PLANNING & ZONING COMMITTEE

WAUSHARA COUNTY, WISCONSIN

Held on August 23, 2010, in the Waushara County Courthouse, Room 268, at 8:45 A.M.

The meeting was called to order by Chairperson Vice Chairperson Kerschner

The Planning & Zoning Committee met at the Waushara County Courthouse and then proceeded to visit all of the public hearing applications which were to be considered at their next subsequent public hearing. Individual observations of each visit were noted and are on file in their respective public hearing folders.

Members present were: Larry Crawford Mark Kerschner Bob Wedell
 Mike Leikness Joe Piechowski

Absent were: Larry Crawford Mark Kerschner Bob Wedell
 Mike Leikness Joe Piechowski

Others present were: _____

Other business conducted prior to the field visits included the following:

Motion to approve the agenda by L.C., seconded by J.P.
Motion carried X.

Motion to approve the minutes of the last meeting by J.P., seconded by L.C.. Motion carried X.

Zoning Administrator & Financial Report: _____

Bills were presented for approval.
Land use permits were looked at
compared to previous years.
Mark attended personal meetings,
Hidden Springs lake assoc. and
discussed on going violations.
Mark also attended Shoreland zoning meeting.
Watershed lakes meeting was also attended.
Budget is coming along well.

New Business - Hidden Springs setbacks
zoning would allow certain exceptions
for structures such as stairs, bridges

retaining walls, fences & other structures.

Motion by L.C. 2nd J.P. to allow HSPOA to monitor these items. Carried.

Fee schedule was looked at also.

Motion by J.P. 2nd by L.C. to ~~revison~~ amend fee schedule in zoning office.

Budget discussion followed. Meeting on Sept 7th.

Extensions: Town of Leon (Pearl Lake)

14x13' boat house - 6 mo ext

Springwater patio 1 yr ext.

28x36 dwelling Town of Nancak 1 yr.

Motion by J.P. 2nd by L.C. to approve extensions carried.

Minor changes - Matchows must comply with commercial codes & comply with original use

Motion by J.P. 2nd by L.C. to approve minor changes. Carried.

There being no further business, the Planning & Zoning Committee for Waushara County adjourned following the visit of all the public hearing applications.

Signed: Robert Wedell
Secretary, Planning & Zoning Committee

MINUTES OF THE PLANNING & ZONING COMMITTEE

WAUSHARA COUNTY, WISCONSIN

Held on Thursday, August 26, 2010, in the Waushara County Courthouse, Room 265/268, at 7:00 p.m.

The meeting was called to order by Chairperson Vice Chairperson Kerschner who explained the rules governing the hearing and the Planning & Zoning Committee, and introduced the Committee.

Members present were: Larry Crawford Mark Kerschner Bob Wedell
 Mike Leikness Joe Piechowski

Absent were: Larry Crawford Mark Kerschner Bob Wedell
 Mike Leikness Joe Piechowski

Motion to approve the agenda by L.C. seconded by M.L.
Motion carried

Motion to approve the minutes of the last meeting by J.P. seconded
by M.L. Motion carried

Attached are the minutes for each individual application:
(CU #10-10, Parollina; 11-10, Miller; 12-10, Evergreen Campsites. ZC # 6-10, Olsen)

Other Business: _____

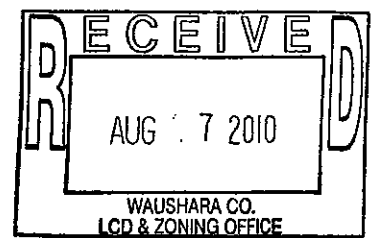
No old Business.
1 conditional use - Town of Peenfield
2 variances

Lined area for notes or minutes.

There being no further business, the Planning & Zoning Committee for Waushara County adjourned by motion of L.C., seconded by J.P.. Motion carried X.

Signed: Robert Wedell
Secretary, Planning & Zoning Committee

**NOTICE OF DECISION
ON
APPLICATION FOR CONDITIONAL USE**



On 7-3-10 an application for Conditional Use Permit was filed by Corey & Lois Parollina and was considered by the Waushara County Planning and Zoning Committee at a regular meeting held on 8-26-10.

Based on the facts and evidence presented, the Committee's decision was to approve your application for Conditional Use.

The reasons for the Committee's decision were:

The requested application is **APPROVED** and will be consistent with the spirit and intent of the Zoning Code and will not be contrary to the public interest because:

1. After reviewing the application and considering all related testimony, the application, if approved with conditions, will not harm the public, or neighboring land uses.
2. Visibility is good at the driveway location.
3. There are similar uses in the area.
4. This is a long way from any public road.
5. The property is maintained very well.

Therefore, the requested application is hereby **APPROVED** with the following conditions:

1. The development must be in substantial compliance with the site plan.
2. All required setbacks must be complied with.
3. All other codes must be complied with.
4. The applicant will allow agents of Waushara County access to the property to ensure compliance with all applicable regulations.
5. The trailer must be kept licensed and roadworthy. No additions, attachments, or permanent foundations.
6. The trailer must be located at least 100 feet from all lot lines.
7. The trailer must be served by sanitary facilities in addition to those in the trailer.
8. The Zoning Office shall annually inspect the trailer to ensure compliance with these conditions.

SECTION 58-166 PERMIT EXPIRATION OR CONFLICT

If within one year of the date of issuance of a conditional use permit the proposed construction or preparation of the land for the use has not commenced, said permit shall expire, except that an extension for a period of up to one year may be granted by the Zoning Committee, upon the showing of valid cause. A fee for such extension shall be charged.

GENERAL CONDITIONS

This decision may be revoked by the Committee, after notice and opportunity to be heard, for violations of any of the conditions or limitations imposed. The applicant will allow agents of Waushara County access to the property to ensure compliance with the terms of this decision, Waushara County Codes, and State and Federal laws.

SECTION 58-106 APPEALS TO BOARD AND APPEAL FEES

Appeals to the Board of Adjustments may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within ten calendar days of the decision by such administrative officer by filing with the officer from whom the appeal is taken and with the Board of Adjustments a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. At the time of appeal, a fee in the amount specified in Section 58-191 of the Waushara County Zoning Code, shall be paid to the County.

s/Chairman, Waushara County
Planning and Zoning Committee

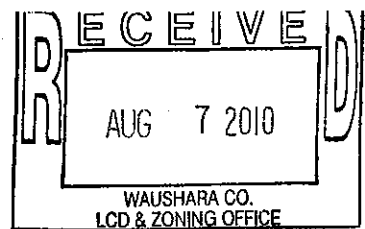
8-26-10

Copies to:

- Office Copy
- Applicant
- Town Clerk
- Town Chairman
- ECWRPC
- DNR (if within Shoreland or Floodplain)
- Army Corps of Engineers (if within Shoreland or Floodplain)

2007P&Zdeccuapproval

**NOTICE OF DECISION
ON
APPLICATION FOR CONDITIONAL USE**



On 7-12-10 an application for Conditional Use Permit was filed by Duane G. & Lorna J. Miller and was considered by the Waushara County Planning and Zoning Committee at a regular meeting held on 8-26-10.

Based on the facts and evidence presented, the Committee's decision was to approve your application for Conditional Use.

The reasons for the Committee's decision were:

The requested application is **APPROVED** and will be consistent with the spirit and intent of the Zoning Code and will not be contrary to the public interest because:

1. After reviewing the application and considering all related testimony, the application, if approved with conditions, will not harm the public, or neighboring land uses.
2. Visibility is good at the driveway location.
3. With conditions and limitations, this will be a small family business in keeping with the rural community.

Therefore, the requested application is hereby **APPROVED** with the following conditions:

1. The development must be in substantial compliance with the site plan and the other information presented at the public hearing.
2. This approval includes the 30' x 30' addition to the existing pole building noted by the applicant at the public hearing.
3. All other codes must be complied with.
4. No outside storage of any cars, parts, etc. unless it is in a location where it is not visible from the state highway.
5. The applicant will allow agents of Waushara County access to the property to ~~ensure compliance with all applicable regulations.~~
6. The applicant is responsible for complying with any other applicable regulations, including any commercial building codes.
7. No more than 1 employee, outside of the immediate family.
8. Any advertising sign must be in accordance with all County and State requirements.
9. If the building has any floor drains, the applicant is responsible for checking with the DNR to determine how the collected wastes are to be disposed of.
10. All storage, handling, and disposal of hazardous and toxic materials shall be in accordance with state and federal requirements.
11. Any future expansions involving additional buildings, etc. will need to be reviewed by the Planning & Zoning Committee to decide if another conditional use hearing is needed.
12. The applicant is responsible for complying with any applicable Department of Transportation requirements.

SECTION 58-166 PERMIT EXPIRATION OR CONFLICT

If within one year of the date of issuance of a conditional use permit the proposed construction or preparation of the land for the use has not commenced, said permit shall expire, except that an extension for a period of up to one year may be granted by the Zoning Committee, upon the showing of valid cause. A fee for such extension shall be charged.

GENERAL CONDITIONS

This decision may be revoked by the Committee, after notice and opportunity to be heard, for violations of any of the conditions or limitations imposed. The applicant will allow agents of Waushara County access to the property to ensure compliance with the terms of this decision, Waushara County Codes, and State and Federal laws.

SECTION 58-106 APPEALS TO BOARD AND APPEAL FEES

Appeals to the Board of Adjustments may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within ten calendar days of the decision by such administrative officer by filing with the officer from whom the appeal is taken and with the Board of Adjustments a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. At the time of appeal, a fee in the amount specified in Section 58-191 of the Waushara County Zoning Code, shall be paid to the County.

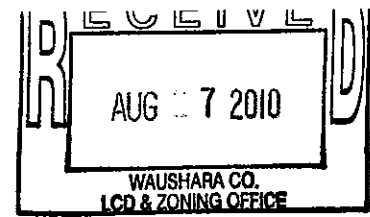
s/Chairman, Waushara County
Planning and Zoning Committee

8-26-10

Copies to:

- Office Copy
- Applicant
- Town Clerk
- Town Chairman
- ECWRPC
- DNR (if within Shoreland or Floodplain)
- Army Corps of Engineers (if within Shoreland or Floodplain)
- John Siebert, Building Inspector
- Wisconsin Department of Transportation

**NOTICE OF DECISION
ON
APPLICATION FOR CONDITIONAL USE**



On 7-14-10 an application for Conditional Use Permit was filed by Evergreen Campsites and Resort, Inc. and was considered by the Waushara County Planning and Zoning Committee at a regular meeting held on 8-26-10.

Based on the facts and evidence presented, the Committee's decision was to approve your application for Conditional Use.

The reasons for the Committee's decision were:

The requested application is **APPROVED** and will be consistent with the spirit and intent of the Zoning Code and will not be contrary to the public interest because:

1. After reviewing the application and considering all related testimony, the application, if approved with conditions, will not harm the public, or neighboring land uses.
2. Visibility is good at the driveway location.
3. There are similar uses in the area and this will fit well in the neighborhood.

Therefore, the requested application is hereby **APPROVED** with the following conditions:

1. The development must be in substantial compliance with the site plan.
2. All required setbacks must be complied with.
3. All permits must be obtained, including land use and building.
4. All other codes must be complied with.
5. A uniform property address will need to be assigned.
6. The applicant will allow agents of Waushara County access to the property to ensure compliance with all applicable regulations.
7. The unit must be placed on a permanent foundation with adequate anchoring to prevent wind damage. The foundation shall entirely enclose the lower portion of the unit, and be of fire proof materials.
8. The foundation, water, sewer, and electrical connections must conform with uniform dwelling code requirements.
9. A reconnection permit may be needed to re-connect to the existing septic system, depending upon the exact mobile home location.
10. The applicant is responsible for complying with any other requirements, including any requirements of the Township.
11. An undersized septic system affidavit is needed.

SECTION 58-166 PERMIT EXPIRATION OR CONFLICT

If within one year of the date of issuance of a conditional use permit the proposed construction or preparation of the land for the use has not commenced, said permit shall expire, except that an extension for a period of up to one year may be granted by the

Zoning Committee, upon the showing of valid cause. A fee for such extension shall be charged.

GENERAL CONDITIONS

This decision may be revoked by the Committee, after notice and opportunity to be heard, for violations of any of the conditions or limitations imposed. The applicant will allow agents of Waushara County access to the property to ensure compliance with the terms of this decision, Waushara County Codes, and State and Federal laws.

SECTION 58-106 APPEALS TO BOARD AND APPEAL FEES

Appeals to the Board of Adjustments may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any decision of the Zoning Administrator or other administrative officer. Such appeal shall be taken within ten calendar days of the decision by such administrative officer by filing with the officer from whom the appeal is taken and with the Board of Adjustments a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. At the time of appeal, a fee in the amount specified in Section 58-191 of the Waushara County Zoning Code, shall be paid to the County.

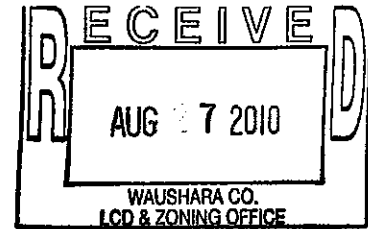
s/Chairman, Waushara County
Planning and Zoning Committee

8-26-10

Copies to:

- Office Copy
- Applicant
- Town Clerk
- Town Chairman
- ECWRPC
- DNR (if within Shoreland or Floodplain)
- Army Corps of Engineers (if within Shoreland or Floodplain)
- John Siebert, Building Inspector

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**NOTICE OF DECISION
ON
APPLICATION FOR ZONE CHANGE**

On 7-9-10 an application for Zone Change was filed by Paul E. & Cheryl R. Olsen and was considered by the Waushara County Planning and Zoning Committee at a regular meeting held on 8-26-10.

Based on the facts and evidence presented, the Committee's decision was to approve your application for Zone Change.

The reasons for the Committee's decision were:

The requested application is **APPROVED** and will be consistent with the spirit and intent of the Zoning Code and will not be contrary to the public interest because:

1. After reviewing the application and considering all related testimony, the application, if approved with conditions, will not harm the public, or neighboring land uses.
2. Visibility is good at the driveway location.
3. The construction matches the lot and available area.
4. The Planning and Zoning Committee concurs with the township that this expansion will be an asset to the neighborhood.

Therefore, the requested application is hereby **APPROVED** with the following conditions:

1. The development must be in substantial compliance with the site plan.
2. All required setbacks must be complied with.
3. All permits must be obtained, including land use and building.
4. All other codes must be complied with, including commercial building codes.
5. Adequate parking must be provided – a minimum of 2 parking spaces per apartment.
6. The applicant will allow agents of Waushara County access to the property to ensure compliance with all applicable regulations.
7. The application is now referred to the Waushara County Board of Supervisors and the Town Board, for their consideration.

GENERAL CONDITIONS

This decision may be revoked by the Committee, after notice and opportunity to be heard, for violations of any of the conditions or limitations imposed. The applicant will allow agents of Waushara County access to the property to ensure compliance with the terms of this decision, Waushara County Codes, and State and Federal laws.

IF ZONING COMMITTEE DENIES PETITION FOR ZONE CHANGE

If the Zoning Committee has denied your request for a Zone Change, a report recommending denial shall be presented to the County Board. The County Board may either accept the denial or they may send this matter back to the Zoning Committee to prepare an ordinance on the Zone Change, which will either be adopted or denied by the County Board as a subsequent meeting.

TOWN DISAPPROVAL

This notice shall be sent to the Clerk of the Town Boards affected by this amendment. If the Town Board files with the Zoning Committee, a certified copy of a resolution disapproving of the petition within 10 days or 30 days, if the appropriate resolution for extension is filed with the County Clerk, the Zoning Committee is not able to recommend approval of the petition to the County Board without change. Therefore, the Zoning Committee shall review its decision at the next business meeting to determine whether to recommend approval of the petition with modifications or to recommend disapproval.

PROTEST

If at least 24 hours prior to the County Board meeting, where this decision will be acted upon, a protest to this decision is filed with the County Clerk, which is signed and acknowledged by the owners of 50% or more of the area proposed to be altered or by abutting owners of over 50% of the total perimeter of the area to be altered included within 300 feet of the parcel or parcels to be rezoned, this action may be deferred until the Zoning Committee has had an opportunity to verify the authenticity of the ownership statements.

The ownership statements must include the amount of area or frontage owned by each signer and a description of each signer's land.

If the ownership statements meet the necessary ownership requirements, the County Board may not approve the Zone Change, except by an affirmative vote of 3/4 of the members of the Board present and voting.

If the ownership statements do not meet the necessary ownership requirements, the protest may be disregarded by the County Board.

ENACTMENT OF ZONE CHANGE

If the Zone Change approved by the Zoning Committee makes only the change sought in the petition and if the petition was not disapproved by the Town Board as explained above, the ordinance if approved by the County Board shall become effective on passage.

If the Zone Change approved by the Zoning Committee modifies the original petition and the resulting ordinance is approved by the County Board, the County Clerk shall provide a copy of the ordinance to each Town Clerk in each Town affected by the ordinance within 7 days of the approval, by registered mail. The Town Board(s) shall have 40 days to file a resolution disapproving the change, with the County Clerk.

If a majority of the Town Boards do not file a resolution disapproving the change, the ordinance becomes effective in all Town affected by the ordinance, 40 days after the adoption by the County Board.

If a majority of the Town Boards file a resolution disapproving the change with the County Clerk, said ordinance shall not go into effect.

If the Town Board approves the ordinance, said ordinance shall become effective upon filing of a resolution approving the Zone Change.

The County Clerk shall record the date on which said ordinance becomes effective and shall notify each Town Clerk of Towns affected by the ordinance of the effective date.

s/Chairman, Waushara County
Planning and Zoning Committee

8-26-10

Copies to:

- (X) Office Copy
- (X) Applicant
- (X) Town Clerk
- (X) Town Chairman
- (X) ECWRPC

- DNR (if within Shoreland or Floodplain)
- Army Corps of Engineers (if within Shoreland or Floodplain)
- John Siebert, Building Inspector
- John Benz, Waushara County Clerk
- Wisconsin Department of Transportation

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